

3 1761 11701455 5




BINDING SECT. JUL 2 1980



GOVT PUBNS





Digitized by the Internet Archive  
in 2023 with funding from  
University of Toronto











an  
om  
M

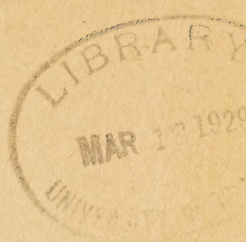
Canada. Marine and Fisheries, Select-  
Standing Committee on, 1929

CAI YC 17  
- M12

SESSION 1929

HOUSE OF COMMONS

443  
7



SELECT STANDING COMMITTEE

ON

# Marine and Fisheries

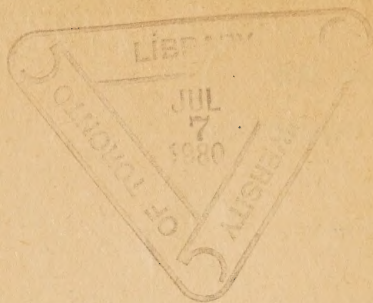
MINUTES OF PROCEEDINGS AND EVIDENCE

No. 1—MARCH 13, 1929

WITNESS:

Rev. Father Alfred Boudreau, Petite de Grat, C.B., Nova Scotia.

OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1929



## MEMBERS OF THE COMMITTEE

WILLIAM DUFF, Esq., *Chairman*

### Messieurs

Bancroft,  
Beaubien,  
Bissett,  
Blanchard,  
Bourgeois,  
Brady,  
Cantley,  
Cardin,  
Delisle,  
Dickie,  
Dionne,  
Duff,  
Dussault,  
Ernst,  
Fansher (*Last Mountain*),  
Garland (*Bow River*),  
Grimmer,  
Jenkins,

King (*Kootenay East*),  
MacDonald (*Cape Breton South*),  
Macdonald (*Kings*),  
Macdonald  
(*Richmond-West Cape Breton*),  
MacLaren,  
MacLean (*Prince*),  
McPherson,  
McQuarrie,  
McRae,  
Morrissy,  
Neill,  
Pouliot,  
Quinn,  
Short,  
Sinclair (*Queens*),  
Smith (*Stormont*),  
Ward.

E. L. MORRIS,

*Clerk of the Committee.*



## ORDER OF REFERENCE

FRIDAY, February 15, 1929.

*Ordered*,—That the Select Standing Committee on Marine and Fisheries be empowered to examine and inquire into all such matters and things as may be referred to them by the House; and to report from time to time their observations and opinions thereon, with power to send for persons, papers and records.

Attest.

ARTHUR BEAUCHESNE,  
*Clerk of the House.*

FRIDAY, February 22, 1929.

*Ordered*,—That the following Bills be referred to the said Committee:

Bill No. 25, an Act to amend the Fish Inspection Act.

Bill No. 26, an Act to amend the Fisheries Act.

Attest.

ARTHUR BEAUCHESNE,  
*Clerk of the House.*

THURSDAY, March 7, 1929.

*Ordered*,—That the name of Mr. Garland (Bow River) be substituted for that of Mr. Luchkovich on the said Committee.

Attest.

ARTHUR BEAUCHESNE,  
*Clerk of the House.*

TUESDAY, March 12, 1929.

*Ordered*,—That the said Committee be given leave to print five hundred copies in English and two hundred and fifty copies in French of the proceedings and evidence taken from day to day before the said Committee, for the use of the Committee and Members of the House; and that Standing Order 64 be suspended in relation thereto.

Attest.

ARTHUR BEAUCHESNE,  
*Clerk of the House.*



## REPORTS OF THE COMMITTEE

### FIRST REPORT

THURSDAY, March 14, 1929.

The Select Standing Committee on Marine and Fisheries beg leave to present the following as their First Report:

Your Committee recommend that they be given leave to print five hundred copies in English and two hundred and fifty copies in French of the proceedings and evidence taken from day to day before the said committee, for the use of the Committee and Members of the House; and that Standing Order 64 be suspended in relation thereto.

All of which is respectfully submitted.

WILLIAM DUFF,  
*Chairman.*

## MINUTES OF PROCEEDINGS

ROOM 425, HOUSE OF COMMONS,

WEDNESDAY, March 13, 1929.

The Select Standing Committee on Marine and Fisheries met at the hour appointed, 11 o'clock a.m. this day, Mr. Duff, the Chairman, presiding.

*Members of the Committee present: Messieurs:* . Bancroft, Beaubien, Blanchard, Bourgeois, Cantley, Dickie, Dionne, Duff, Ernst, Garland (Bow River), Grimmer, Jenkins, MacDonald (Cape Breton South), Macdonald (Kings), Macdonald (Richmond-West Cape Breton), MacLean (Prince), McQuarrie, Neill, Quinn, Short, Sinclair (Queens).—21. (See list).

*In attendance:* The witness, Rev. Father Boudreau of Petite de Grat, Nova Scotia.

Mr. Johnston, Deputy Minister, Department of Marine and Fisheries;

Mr. W. A. Found, Deputy Minister of Fisheries;

Mr. J. J. Cowie, Superintendent of Fish Curing and Packing.

The Chairman opened the meeting and announced to the members present that Father Boudreau, who represented the interests of the fishermen of Eastern Nova Scotia, was present and if the Committee were agreeable he would like to state the case of the fishermen of that section of the country. Agreed to.

Father Boudreau called and made statement, which follows in evidence.

Questions were asked by the Committee which the witness answered, and considerable discussion followed.

Mr. Macdonald (Richmond-West Cape Breton) submitted report of Special Committee on Fisheries, appointed by the Municipal Council of Richmond County, which he read to the Committee, and which, by unanimous consent became a part of the evidence taken.

The Chairman stated that if the Committee were agreeable he thought perhaps it would be advisable to have a little time to look over the evidence submitted before another meeting of the Committee, so that the members of the Committee would be in a better position to form their opinions as to the measures to be considered.

Agreed to.

Mr. Neill moved that the Committee adjourn.

Meeting adjourned to the call of the Chair.

E. L. MORRIS,

*Clerk of the Committee.*





## MINUTES OF EVIDENCE

ROOM 425, HOUSE OF COMMONS,

WEDNESDAY, March 13, 1929

The Select Standing Committee on Marine and Fisheries met at 11 o'clock a.m., the Chairman, Mr. Duff, presiding.

The CHAIRMAN: On Monday we decided to adjourn until this morning in order to give Father Boudreau an opportunity to be heard before the Committee. Father Boudreau is here from Nova Scotia and he is very much interested in the fisheries of that province, and especially in the County of Richmond where he lives.

REVEREND FATHER ALFRED BOUDREAU, called and sworn.

*By the Chairman:*

Q. What is your full name, Father?—A. Alfred Boudreau.

Q. Of where?—A. Petite de Grat.

Mr. CHAIRMAN and GENTLEMEN: I am here by the good grace of Providence undoubtedly, also through the courtesy of your genial Chairman, and the goodwill of your honourable body, for all of which I am very thankful. I was sent here as a delegate of the fishermen of eastern Nova Scotia, who have organized groups in six of the eastern counties of Nova Scotia. They have subscribed to pay my expenses here.

Some two years ago we started an organization of the fishermen down there. At the present time, we have about 55 per cent of the fishermen enrolled and they are coming in all the time. We expect that within a few years' time we will have the whole of the eastern coast of the island organized.

As you are no doubt aware, about two years ago some of those interested in the fisheries—clergymen, laymen and fishermen—alarmed by conditions which were rapidly growing worse, and alarmed at the rapid increase of the exodus of our fishermen, decided that some effort should be made to stem this tide of emigration among our people, and to see if something could not be done to alleviate the distress. I was one of the first to cast in my lot with the fishermen. I had before my eyes—and I still have—the very gruesome picture of distress and poverty, numerous heads of families, fishermen, working hard, facing death itself sometimes in storms and unfortunately losing their lives too often—I lost three men in one week in the fall of 1927—unable to get the bare necessities of life. I found in many homes evident signs of undernourishment—little houses with just a kitchen room and sitting room combined. Meat in many of those homes was a luxury. I found that the children could not have the proper amount of milk that they should have. Why, the very picture of those people walking along the street was enough to show that they were undernourished. I found a large number of children unable to attend school in the winter time for lack of proper clothing, and I found a still larger number had to be taken from school at an early age, say around the age of twelve, in order to help their fathers fish. I went around the coast, and everywhere I went I found signs of poverty and distress. I do not mean the western part of Nova Scotia. Conditions are a little better up there. And, strange to say, up there from Halifax west the companies have always been able—I do not know for what

[Rev. Father Alfred Boudreau.]

reason—to pay a higher price for the fish. They have no beam trawlers operating on that coast except one that was built last year, a small baby trawler. There the companies are very much more interested in keeping the fishermen at home. They treat them as well as they can and encourage them to remain in the industry, and they have always paid them a higher price than we get where the beam trawlers are operating. The conditions that I am depicting only obtain on the eastern coast. I do not want to say that they are general all over Nova Scotia. And so in travelling along the eastern coast I found everywhere evident signs of distress. I found the fishermen discontented and disgruntled, complaining all the time, and even offering their boats for sale and their gear for sale. Very often they could not sell it and it was allowed to rot on the shore or in the outhouse. The young men were leaving as fast as they could, and some of the older men were talking of leaving.

The question arose in my mind, why all this? Are our people lazy? Undoubtedly we find laziness in every class of people, perhaps even amongst clergymen themselves. But it can hardly be said that people who have to work hard all day and get up at two or three o'clock in the morning in all sorts of weather, to begin another day's work, are lazy. That is what our fishermen have to do.

It is the lack of fishing grounds? Why, we have the largest and the richest fishing ground in the world I suppose. It is true that for a number of years the inshore fishing is not so abundant as it used to be. The fishermen tell me that twenty years ago they could take a little rowboat or sailboat and load that boat any time any fishing day, and sometimes they would have to make two trips. But for a number of years that has not been so. We have to go farther and farther off shore to catch the fish, and even at that the catch is not so abundant as it used to be. While statistics may show that the catch of fish has increased, I can explain that by the fact that new methods of fishing have come into use, such as beam trawlers which catch immense quantities of fish. And there are also the fishing traps which catch a lot of fish. We have now quite a number of those fishing traps all along our coast. It is a fact, however, that all along the eastern coast the inshore fisheries are declining. The catch is falling off, and, as I say, we have to go further and further off shore to catch the fish. And here you have one source of the trouble, as far as I can see. The fishermen have had to discard their small rowboats or sailboats and they have had to equip themselves with larger boats, and have had to buy motor engines, which are costly things. The price of gasoline is very high.

Since the war we have had a tremendous increase in the cost of living and in the cost of equipment. In some cases the increase in the cost of equipment has gone up three hundred per cent. Some fifteen or twenty years ago you could buy a net for perhaps five or six dollars. To-day it costs eighteen or twenty dollars. To meet this situation, we have not had a sufficient increase in production, neither have we had a sufficient price for our fish. On the one hand you have an increase in the cost of living, and a tremendous increase in the cost of equipment, and, on the other hand, the fishermen have not been able to bring up the production sufficiently, nor have they been able to get a sufficient price for their fish. The consequence is that we have large families of fishermen trying to subsist on four or five hundred dollars a year. I do not see how they do it. And so it is we have distress and poverty.

To prosecute the fishing industry as it should be prosecuted the fishermen should have still larger boats than they have at the present time, and more power, but very few of them are in a position to secure better equipment. They have not got the money, nor have they the credit. That is why when the Royal Commission was around we asked the Commissioners whether it would not be possible to have the government establish a system of long-term loans to fishermen as has been done for the farmers.

That is quite an important matter. If the fishing industry is organized and put on a proper working basis, it will be a long time before many of our fishermen will be able to take advantage of these improved conditions through lack of proper equipment. And if it is true that the prospects are brighter for the fishing industry, and that in the course of time conditions will improve, if it is true that the Department in conjunction, of course, with the personal initiative of the fishermen themselves, will be able to so arrange matters that the industry will be put on a proper basis, then I do not see why the fishermen should not be able to meet their obligations, why they should not be able to repay the loans. If we are going to make the fishing industry prosperous they will be in a position to repay their loans.

To my mind some system of insurance should be devised to take care of boats lost through accidents, the fishermen themselves paying the premiums.

Is the source of all this trouble, of the miserable conditions existing in the fishing industry, due to the lack of markets? Ever since the fresh fish business was established, some twenty or twenty-five years ago, and the big fish corporations were organized, and the large cold storage plants erected, we have been told on all sides that the markets have expanded tremendously. These big fish corporations that divide up the trade have opened up new markets; at least, that is what they say. We have had markets; we must have had them, but at the same time our people have had to move out. While they were enlarging the markets, our people were moving out all the time, going to the States by the thousands, fishing out from Boston and Portland.

Is it due to the lack of buyers? I do not think so. For example, around my district we have the four largest fish corporations in eastern Canada buying. They have been buying there ever since the fresh fish trade came into existence. We have no trouble in selling our fish; so that cannot be the case.

To our mind, the source of the trouble is this: the increased cost of equipment and the increased cost of living, coupled with the insufficient price secured for the fish. In Cape Breton, and some other parts of the coast of Nova Scotia, until last year haddock in the spring and summer were sold by the piece—three cents a piece and sometimes two cents. I say by the piece, not by the pound. A big haddock weighing ten or twelve pounds only brought three cents to the fishermen, sometimes only two cents. That same condition obtained again this year in Ingonish, for example. That is all the fishermen got for their fish. I am not talking about the fall prices. The fall prices are always a little better. This year, however, around my place that was not done. The haddock was bought by the pound, one cent a pound. That is for the spring and summer catch. In the fall and winter the price goes up a little higher. But it is pretty hard for fishermen to buy expensive equipment and meet the cost of living at such prices. It is impossible, and that is the reason why they are moving out all the time. And they will continue to move out unless they are able to secure better prices for their fish.

Not relying on our own judgment to find out all the whys and wherefores of the fisheries question, unable moreover to apply the remedies had we been able to diagnose the case correctly, we asked the government to investigate the whole situation, and the government was good enough to grant our request. They appointed a Royal Commission consisting of five members. We think the personnel of that Commission was well chosen. We had Mr. Bill, for example, of Lockport, who was in the fishing business for over thirty years. We had Mr. Robichaud who was in the fishing business for over twenty years and who knew conditions in New Brunswick well. We had Mr. Mumberquette, a practical fisherman, a man who does not say much, but a man of very good judgment. We had Professor Cyrus MacMillan, a man who had wide experi-



ence in matters of that kind, because he was a member of the Duncan Commission. Then we had as Chairman, the Honourable A. K. Maclean, President of the Exchequer Court.

It is now the wish of the fishermen that the report of that Royal Commission which, taken on the whole, is very wisely constructed, should be implemented as fully and as quickly as possible. Many recommendations were made in which we are particularly interested. They are all important, but there are some of them that we think are of major importance, and those we consider to be the following: First, the establishment of a separate Department of Fisheries, with a good man at the head of it, a man of good executive ability, and a man of energy besides, if such a man can be obtained.

Secondly, we consider that the question of long-term loans for fishermen is one of major importance, and thirdly, the biggest question of all is the steam trawler question.

We believe that the steam trawler question is at the root of the whole thing. We believe that you cannot cure an evil unless you strike at the roots of it. You might create markets in the future, as you have in the past; you might establish a department of publicity, and be as active as you please in getting larger markets, yet, if you enlarge your markets and if you are at the same time going to bring in more trawlers to supply the increased demand, and you leave out the shore fishermen, you are going to have the same conditions as we have had before; we are going to be left in the same position as we were before; and we are going to be left to the mercies of the big fish corporations, and the fisheries question will not be settled at all. There are a number of steam trawlers operated from Halifax and east, and I suppose that if we had not one single fisherman left in Nova Scotia those trawlers would be sufficient to supply the demand. The fact is that the fish corporations are dealers and producers; they produce on a grand scale, and naturally they dispose of the catch of their trawlers first, and when their cold storage plant is full or half full of steam trawler fish, they come to the fisherman and say, "We have lots of fish, but just to help you out we will take your fish; here is our price, three cents apiece for haddock, or one cent per pound." Why, it costs one cent a pound to catch fish. They cannot live on those prices.

We say that if the fishermen were given a chance, if they were given a sufficiently high price to give them some heart to remain in the industry, to get better equipment, we believe it would not be necessary to have trawlers to supply the market. Our fishermen say they can fish in all seasons to supply the market, and if they can fish off Boston and Gloucester in open vessels at all seasons of the year, there is no reason why it should not be done in Nova Scotia just as well as at Boston.

But they cannot get better equipment at one cent per pound for fish. If there is a possibility of supplying the market, and if they are given a chance, if they are told "We are going to give you a paying price for your fish, go to it and see what you can do," you would find out that in a short space of time the fishermen would be able to get all the fish they could handle.

*By Mr. Short:*

Q. That one cent per pound you refer to, is that not the summer price?—

A. Yes, I think I mentioned that at the beginning.

Q. I thought you said that was the price the year round.—A. No sir, that was the spring and summer price. In the fall the prices go up gradually. They might begin at one cent, then go up to a cent and a quarter, then to a cent and a half, and on haddock to two cents. That was at the close of the last fishing dates. Last summer they got one cent per pound, and a cent and a quarter for steak cod. We might consider that an improvement over summer conditions.

[Rev. Father Alfred Boudreau.]

*By Mr. McQuarrie:*

Q. Would you suggest that the steam trawlers be prohibited altogether?—  
A. Yes sir.

Q. You would?—A. Yes.

Q. There must be quite a large amount of money invested in trawlers operating at the present time; would you compensate those people, or what would you do about that?—A. Would they not be able to make a better use of those boats?

Q. Have you considered that phase of it?—A. However, this is yet to be said, there is this phase to it, that it must be remembered that the fishermen themselves have more money invested in the fish business than the corporations have.

Q. That may be true.—A. Here you have hundreds of boats the poor fishermen have had to buy, and they are rotting on the shore. They have had to board up their houses and leave for the United States, while their properties are going to ruin. The fishermen as a whole have between \$15,000,000 and \$20,000,000 invested in the industry.

*By Mr. Garland (Bow River):*

Q. Would not the question asked by Mr. McQuarrie involve the question as to whether the financial investment was more important than the human element.

*By Mr. McQuarrie:*

Q. Your proposal, Father Boudreau, must be one thing or the other, either that you should compensate the owners of these trawlers, or that they should be prohibited without compensation.—A. Some are owned in England. We have sixty million invested at the present time.

Q. If you prohibit the use of trawlers, do you think it would be possible to get good prices for the fishermen.—A. Yes sir.

Q. That is the solution?—A. Yes.

*By Mr. Short:*

Q. If they have no fresh fish in the winter season, how are you going to supply the markets when the fish go off shore, and they cannot get them in rough weather, or by hook and line.—A. I have had fishermen tell me that when it is too rough for fishing vessels to fish, it is too rough for the trawlers to fish. I have never been on the Banks, myself.

I want to say this, before I forget it, that the Chairman of the Royal Commission offered his four colleagues to compromise on the question; he offered to recommend that only five medium trawlers be allowed to operate. You see, even the Chairman himself was in favour of some restrictions upon them.

*By Mr. McQuarrie:*

Q. Did he state that himself publicly?—A. Not himself, but the other commissioners did.

Q. Where did you get that information.—A. From one of the other commissioners; he wrote me about it, and asked me what I thought about it.

Q. I suppose you would not care to say who that Commissioner was?—A. No, I would not like to mention his name. He wrote to me about it, and I said I was not on the Royal Commission, that he could use his own judgment about the matter. I thought perhaps a compromise would be acceptable, if there was no other way out of it.

I am only here to express the views of the fishermen; that is why they sent me here. They sent me here especially. When they got their copies of the Bill, of the Amendment to the Fisheries Act, which says something about the trawlers but places no restrictions upon them except that they must be of Canadian register—if they are of Canadian register they might have one hundred of them.

If they are going to bring in more trawlers it will leave our fishermen more at the mercy of the big corporations than before. The fishermen wired me about it, asking me if I would be able to go to Ottawa and see if this was the last word on the trawler question, that they would pay my expenses, and that if that was the last word they might as well pack up and "git". I have here a statement of what they think about it. They claim that if given a chance they can supply the markets. Since the service was inaugurated in the fall of 1927 we have increased our supply of fresh fish immensely. In that service large sections of the coast that were unable to sell fresh fish before are now selling fresh fish, and at certain times of the year, even now, with the poor equipment the fishermen are doing so despite adverse conditions. The Maritime Fish Corporation is kept busy with shore-caught fish. We have increased the quantity of our production immensely since these boats were put out, and if given a chance the fishermen will double and treble their catch in no time.

Last year the in-shore fishermen landed about 73,000,000 pounds of fresh fish, and these figures do not refer to fish put up in fillet form; almost 73,000,000 pounds of fresh fish landed by the shore fishermen, not counting what was sold as fillets. That goes up into millions of pounds also.

I am told that some years ago, perhaps fifteen or twenty years ago, the Federal Government put restrictions upon the lobster canneries; and they forbade any more canneries to be erected, and no more canneries could be erected unless a license were given by the government. I am told further that all those who applied for licenses were refused. That is putting restrictions upon trade.

If the reports were correct, an order in council was passed last year forbidding the killing of the walrus up north, which was a severe blow to the fur-traders. That was done to protect the aborigines. The walrus was being depleted. It was for the benefit of the aborigines that that order in council was passed.

All these are restrictions. Would it not be better also to pass restrictions upon the steam trawlers, since the Royal Commission say that it is of no use, that either the trawler must go or the fishermen must go. Is it not a better policy for the government to retain our people here? We have no better class of men, no braver class of men, and no more rugged class of people than our fishermen. There are no more expert sailors in the British Navy than our fishermen on the coasts of Canada. They go out in snow storms at two or three o'clock in the morning, in an open boat, to do their work. They are iron men. The biggest asset we have in the country are our men; the biggest asset we have is the human asset.

*By Mr. Neill:*

Q. Where do the men on the trawlers come from?—A. Some are strangers, some are foreigners, some Canadians. There are only 249 men employed on trawlers. On the fishing vessels, smacks and other vessels they have about 48,000 men employed. That is what the report says; men employed on steam trawlers 249; men employed on smacks, etc., 48,519. More men are engaged in the in-shore fishing than in trawler fishing. We have more men, and our men have a lot more money invested in the fishing business than the corporations have.

[Rev. Father Alfred Boudreau.]



When it comes to a question of formulating a policy for the fisheries, in all fairness we must consider these things. It is not fair to reject the claims of our fishermen. It is not their fault, that conditions are as they are. It is not fair that they should be told that they can go away and leave their houses to rot, that they can board up their homes and leave their lands to go to ruin, while you take care of our fish curers and our fish corporations.

We claim that that is not right, and we will not be satisfied with any policy which sacrifices the interest of thousands of our people to the interests of a few.

Permit me to say generally that our people are bitterly disappointed with this bill which is to be presented to parliament; they hope it will not go through as it is. I do not know that I have anything more to say on the question.

*By Mr. MacLean:*

Q. What about the destruction of fish by the trawlers?—A. The fishermen do not agree at all with that. They declare that they have found spawn floating. I will take their word for that. The fishermen themselves who have fished on trawlers say that they have pulled up a lot of spawn with the trawl, and that there must be some on the bottom also. Let us leave that side of it. Grant for the sake of argument that fish spawn has been destroyed, it cannot be denied that when you have trawlers dragging the bottom of the fishing grounds during the spawning season they will drag up a lot of fish before they have time to deposit their spawn, and they drag up a lot of young fish. On the other side of the Atlantic the fish are being depleted. On the banks they are being depleted. The minority report of the Royal Commission says that it might be advisable that the different governments interested in this fishing question should try to come to some arrangement whereby the fishing grounds would be protected from complete destruction.

It might be a good thing if some international agreement could be arrived at by which trawlers would not fish through the spawning season. We have a close season on salmon, we have a close season on trout, and we have a close season on smelts. Possibly it would be a good thing to have a close season on cod and haddock. If not, it may be found in the course of years that our fishing grounds have become depleted.

I do not know, gentlemen, that I have anything else to say on the question. There are a few other things in the bill that we do not approve of. To make the lobster season fixed by law is something that on the eastern coast of Nova Scotia is not going to work very well. Sometimes we have ice to contend with.

*By Mr. Short:*

Q. We have it fixed now by regulation, but the idea is to make it statutory instead of leaving it in the hands of the Department.

*By Mr. Ernst:*

Q. This bill provides that the season shall be changed only by Act of Parliament, not by the Department. The idea is to make it statutory, so that it cannot be changed, it cannot be extended. You have to do with ice conditions?—A. Yes. It does not happen often, but it does now and again. We have heavy ice down there now.

I will not take up any more of your time, gentlemen. I have told you what we think on these questions, and on the trawler question. Of course it is up to you to deal with the question as you think best. We have to submit to the laws of the country, and we have to abide by them, but we are not going to be satisfied unless severe restrictions are put upon the operations of steam trawlers. We consider that the fisheries question is not settled at all unless

something of that kind is done. We consider we will never have an opportunity of improving our conditions materially unless we get out of the conditions which exist at the present time, and we say that the trawler in Nova Scotia is the cause of it all.

We have the western shore fishermen, who are not in favour of the trawlers, neither are the western dealers. Mr. Bill, who signs his name to the majority report, is a fish expert, and we have the Lunenburg people, who have a trawler now. The owner of that trawler told me himself, "I am getting a trawler, not because I like trawlers but because I have to meet the competition of the other companies that have them." We have all the small operators trying to meet the competition of these big corporations who have trawlers and who get an immense quantity of fish through their trawlers. Then, in order to secure a sale they must at times quote very low prices on the market. Therefore we have very keen competition at the selling end, due to the fact that the small operators are kind of squeezed out of the markets, while the big corporations have immense quantities of fish to put on the market. The small fisherman gets a poor price, and when the price of fish is low, you can easily understand what that means to him. All that is materially affected by this question.

I do not think I have anything else to say about this matter. I am ready to answer any questions which may be asked, if I can answer them, either in French or in English. I am obliged to you gentlemen for having allowed me to put my views before the Committee to-day.

*By Mr. Ernst:*

Q. I would like to ask just one question. You used the words, "further restrictions." Have you any definite project in mind with regard to further restrictions? You used the words "further restrictions on the trawlers" and I was wondering if you had anything definite in mind.—A. It would be up to you people to work that out. We would be very much pleased with total abolition. We will not be pleased if we have nothing. If the majority report is kicked out altogether, it is going to be the cause of discontent and disappointment down our way.

Q. You have nothing definite to suggest?—A. I have not worked out any definite plan. You might substitute for the word "restriction" the word "abolition" if you like.

*By Mr. Garland (Bow River):*

Q. Father Boudreau, you quoted some figures at which fish were purchased from the shore fishermen by the corporations, I think around one cent to three cents per pound for haddock during the summer months; during the summer months, I think you said, haddock are sold by the piece?—A. In former years.

Q. In June last they were selling for  $2\frac{1}{2}$  cents per piece?—A. Not this last June. They were selling for one cent per pound at Antigonish. They have been sold by the piece at Antigonish for two cents apiece.

Q. I think I remember that, when I was there. Can you give the Committee any idea of the retail price of fish at that time?—A. I am told that in Halifax it was around fifteen cents; fish on the round with heads off were retailing at fifteen cents a pound, and with heads for twenty cents a pound.

Q. Mr. Chairman, I would like to ask Father Boudreau to clear up the questions asked by these gentlemen, whether he was quoting the summer prices. The summer prices were from one to one and a half cents per pound.—A. One cent to one and a quarter for steak cod, and in September and October it went up a little, until it finally ended at the last fishing days at two and a quarter cents for steak cod, one and a quarter for market cod.

Q. That is, in the round?—A. Yes.

[Rev. Father Alfred Boudreau.]

*By the Chairman:*

Q. With the guts out?—A. Yes, gutted.

Q. During which period of the year do the shore fishermen get the most fish?—A. There is quite a heavy run in the spring.

Q. Can you give us any idea of the aggregate price given to fishermen for their shore catch?—A. If you begin in the spring, it is pretty hard to say. It might be one cent per pound for two or three months, and then it goes up to one and a half cents. I suppose the average would be around one and a half cents off the Inverness coast. The Inverness coast was offered a collecting boat service last year, I was told, and no buyers, although we have three large cold storages, one in Port Hawkesbury, one in Mulgrave, and one in Canso. The buyers there would not guarantee to take all that the boats would bring to them.

*By Mr. Short:*

Q. How far are these Inverness plants away from the cold storage plants?—A. Seventy or eighty miles.

*By the Chairman:*

Q. They would run from ten to seventy miles?—A. About seventy miles would be the farthest. The fishermen along that coast had to salt their fish, and all they got from the local dealers was \$1.40 per hundred pounds, that is, dressed, heads off, split, the bones taken out, and all ready for the flakes. That would not amount to one cent a pound, which is a ridiculous price. Fishermen cannot live on those prices. On the eastern coast of Cape Breton, in Victoria County, we have people buying haddock for two cents apiece.

*By Mr. Short:*

Q. For salting purposes, or for export?—A. For both.

The CHAIRMAN: Any other questions?

*By Mr. Short:*

Q. Are they all the one type of trawlers that are used, or are the small baby trawlers used there too?—A. No. We have only one baby trawler in Nova Scotia.

The CHAIRMAN: They are still in their swaddling clothes.

The WITNESS: They do not condemn that kind of fishing at all. They only condemn the steam trawlers.

*By Mr. MacLean (Prince):*

Q. There would be only a limited number of fishermen who could get these steam trawlers?—A. Yes. They cost a good deal of money.

Q. That would work some hardship?—A. If the fishermen had them they would be all right.

Q. It seems hopeless unless a system of loans is introduced.—A. They are insistent upon that point. Some have been built this winter, but what is two or three new boats in a community of 150 or 200 fishing families.

Q. They have no capital to invest in anything?—A. They have hardly money to buy a barrel of flour, let alone buy boats.

*By Mr. McQuarrie:*

Q. You would prohibit the use of steam trawlers; that is all you are asking for?—A. This report is all very well. I do not want to keep you gentlemen too long. I have only taken up a few of the major recommendations. There are just two or three points; first the establishment of a Minister of Fisheries,



second, long term loans to fishermen, and steam trawlers. They consider these matters of extra importance. They say that unless these questions are settled satisfactorily, they will never be settled, no matter how much legislation you pass.

The CHAIRMAN: It seems to me that it is impossible for us to deal with a matter of such grave importance at this meeting. We are all interested. I suggest that we read the report of the Commission and then come before the Committee at a later date and give our views. If that is satisfactory, we will go on to something else.

*By Mr. Garland (Bow River):*

Q. There is one question I would like to have cleared up. When I was in Canso last June, I found complaints circulating there by fishermen as to their treatment by some of these fish corporations. If a man wants to buy bait, he has nowhere else to go but to the fish corporations for their bait and it was being sold then at a rate of seven cents per pound, frozen bait. Suppose by any chance he had sold his fish to somebody else—for instance, to a private dealer from Boston. The fishermen tell me they were refused bait by the fish corporation, the only place where they could get it. Do you know whether that is true or not?—A. That is perfectly true, and the same thing obtains everywhere. You cannot get bait from the fishing concern unless you sell your fish to that concern. If you are not pleased with that concern, and can get more for your fish from somebody else, you cannot get bait from that particular concern.

Q. You always have to sell your fish at the price set by the corporation?—A. Of course we do.

Q. Without regard to the market price?—A. We have to take the price they offer, that is all. We have no say in it at all. Last fall the Canso fellows had to import bait from the States, and had to pay six cents for it, and the fish they caught from that bait they could only sell for three cents. I was in Canso last summer; the fishermen's Union had a meeting one night and they were talking pretty loud. There is a cold storage plant there that had some bait in it which the fishermen could not get, and they were talking about going down and taking it. I told them they had better be careful. But just the same the situation is rather peculiar when there is bait there and they cannot get it, and they have to sell their fish to the company from whom they get the bait, no matter what the price is, or they cannot get any more bait. The same thing obtains all along the coast. There is a crying need for bait freezers all along the coast.

*By Mr. MacLean (Prince):*

Q. Coming back to that question of the destruction of their fish: there is a closed season for lobsters. Have you any information as to whether or not these trawlers destroy lobsters, or do they take in lobsters or fish which are prohibited in certain closed seasons.—A. I never heard a fisherman say he brought up any lobsters from the bottom. They scrape up anything that is on the bottom; they cannot escape. If there are lobsters there, they get them.

Mr. SHORT: The trawlers usually do not fish on the ground where the lobsters are.

Mr. MACDONALD (Richmond-West Cape Breton) They fish any place they can. I have seen them myself fishing in the Straits of Canso where it is only a mile or two wide.

Mr. Chairman, I have here a resolution from the report of the Special Committee on Fisheries appointed by the Municipal Council of Richmond County.

The CHAIRMAN: Is that the resolution from the Municipal Clerk?

[Rev. Father Alfred Boudreau.]

Mr. MACDONALD (Richmond-West Cape Breton): Yes.

The CHAIRMAN: There are other matters in it.

Mr. MACDONALD (Richmond-West Cape Breton): Yes, but it refers largely to aids for fishing.

The CHAIRMAN: Read the clauses having regard to fishing.

Mr. MACDONALD (Richmond-West Cape Breton): (Reading):

## REPORT OF SPECIAL COMMITTEE ON FISHERIES APPOINTED BY THE MUNICIPAL COUNCIL OF RICHMOND COUNTY

JANUARY SESSION, 1929.

To the Warden and Council:

GENTLEMEN,—Having been honoured by your honourable body to draft suitable resolutions in regard to our fisheries, we beg to report as follows:—

1. As a foreword we beg to stress the importance of the fisheries to the County of Richmond being our chief industry with an annual value of not less than \$300,000.

2. As a result of poor prices prevailing after the late war, due in part to a falling off in the demand for the commodity, and in part to the fallen exchanges in the currencies of continental Europe and South America, but largely in our opinion to lack of proper transportation facilities as well as advertising that would enable our people to learn of the food value of this commodity as well as place it upon the tables of the mass of consumers in the great cities of eastern and western Canada, there has been a general decline in the industry, and a consequent exodus of these hardy toilers of the deep to the United States.

In order to stem this rising tide, and restore peace and contentment in fishing communities we recommend:—

1. That the Report of the Royal Commission on Fisheries be implemented by the Federal Government to the fullest extent.

2. That during the spawning season the cod and haddock be protected from the depredations of steam-trawlers. An effort should be made to control their activities by international treaties.

3. That better railway facilities should be granted to Richmond County. The line of railway to St. Peter's should be extended to Louisburg, and a branch constructed on Isle Madame terminating at Petit de Grat. We solicit the co-operation of Canso in this respect as with steamboat connection with Petit de Grat the fishermen of that place would be but ten miles from the railway centre instead of thirty as at present.

4. We urge that our water transportation service be immediately improved, as at present our fishermen have to depend on this solely for export. Freight rates should be lowered, ample subsidies should be provided so that better and faster boats can be placed on the routes.

5. The harbours of Petit de Grat, L'Ardoise, Grand River and Fourchu should be dredged at once thus enabling the fishermen of those places to ply their avocation, which they are now attempting to do at the risk of their lives and property. We cannot urge this upon the federal government too strongly.

6. Immediate attention should be given by the government to the cultivation of the oyster and scallop industry in Richmond which promises to be a source of revenue to our county.

[Rev. Father Alfred Boudreau.]

7. As a fish-plant in Richmond is an absolute necessity, we demand in behalf of the fishermen that the government take the initiative in encouraging Richmond County fishers to organize and establish a fish-plant somewhere in the county, at the most suitable point of course, which in our opinion would be either St. Peter's or Petit de Grat, the former being a railway centre and the latter on tidewater. At present our fish are all transported to Guysboro and Inverness counties and manufactured there.

8. We urge that a Fish Loan Board be created by the government whereby financial assistance could be given to fishermen by way of long term loans at moderate rates of interest. These would enable them to equip themselves with proper boats and gear, which are beyond the reach of the average fisherman to-day, large boats equipped with power being absolutely necessary if the shore fishermen are to be in a position to supply the markets. The day of the small fishing punt is over.

We believe that with proper equipment the shore fishermen can supply the markets of Canada despite all propaganda to the contrary.

9. We urge that every publicity be given the fishermen by radio or bulletin regarding supplies of fish taken and in storage plants also market conditions. These broadcasts would enable them to sell or hold their catches as conditions warranted.

10. We commend the short educational courses in vogue for fishermen, but believe they could be made more beneficial if a practical fisherman were employed to give instruction in such branches of the fishing industry as setting and handling of gear, ganging of hooks, make-up of trawls, nets, seines, etc.

We urge that these recommendations of ours be forwarded to the Department of Fisheries, Ottawa, and to every federal member in Nova Scotia, with the request that they do everything in their power to have the suggestions made by us, which have been ratified by council, put into effect.

Respectfully submitted,

(Sgd.) REV. A. BOUDREAU,  
D. H. CAMPBELL,  
*Special Committee.*

Arichat, N.S.,  
January 15, 1929.

Approved by Council unanimously, and ordered forwarded to Ottawa.

D. H. CAMPBELL,  
*Municipal Clerk.*

Municipal Clerk's Office,  
Arichat, N.S.,  
March 7, 1929.

The CHAIRMAN: I think before we discuss this matter we had better look over the minutes of Father Boudreau's remarks and also study the report of the Commisison and then we can deal with it much better. If that is satisfactory, that will be done. Is there anything else?

Mr. MACDONALD (Richmond-West, Cape Breton): There are one or two practical points I would like to bring before the Committee.

[Rev. Father Alfred Boudreau.]



Q. You have organized the fishermen and understand what is going on in Nova Scotia, and realize that our fishermen are alive and will demand their rights, and fight for them. As regards the appointment of a minister, we are expecting that the recommendation of the Royal Commission will be carried out. What is the opinion of the people of Nova Scotia? Is it that he should be a practical man, one who understands the fishing industry?—A. Well, of course, the head of a department must have good executive ability. Then, on top of that, if he has a good knowledge of the fishing industry, it will come in very useful, but first of all we recognize that he must be a man of good executive ability. The industry has to be entirely organized. It has never been organized; it is a big job and we need a big man, with practical experience.

Q. Just another question; in regard to vocational training for the fishermen, there was a fishermen's school established in 1928. How did it work out?—A. We were very much disappointed owing to the fact that the promises which were made that the government would provide scholarships for fifty students were not carried out. In fact, I do not know whether there was any provision made at all, but about twenty-five went anyhow. The clergy of Nova Scotia went around begging and collecting money to help pay for these courses, and only nineteen or twenty took them. We had been promised that provision would be made for fifty scholarships. All the students who took the course think it was very good. I had some of my boys there; there were four from Canso, and all to whom I spoke about the course claimed it was a very good thing and that they received a lot of information, and are hoping it will be continued.

Q. What is the opinion of the fishermen regarding the fish inspectors, as to what class of men they should be?—A. Well, these are difficult questions to answer. Some of the fish inspectors are well liked, while others are not. When we were discussing the question in 1926 or 1927 the fishermen claimed they should be given preference in the appointment of fish inspectors. They claim they know the game, and they do not like to see a business man or a farmer come along and tell them what to do. Some of our fish inspectors do not know trout from a sucker and the people feel very sore about it, and do not want to accept the leadership of such men, who, they feel, are not able to teach them anything. These officials seem to be unwilling to learn anything, and a man who is able to teach them anything must know a good deal about it himself.

Q. The fishermen realize that they are not only to be governed but led by these inspectors in an advancement of the fishing industry. What is their feeling in regard to that?—A. I understand that the Department of Marine and Fisheries is giving courses to the inspectors also. I suppose they will learn something from those courses.

Q. Are not some of the farmers a little too old to learn the fishing industry? Should not a man be born into his occupation?—A. (No audible reply.)

*By Mr. MacLean (Prince):*

Q. Are the inspectors appointed by the Civil Service Committee?—A. Yes.

The witness retired.

The committee adjourned.



SESSION 1929

HOUSE OF COMMONS

SELECT STANDING COMMITTEE

ON

# Marine and Fisheries

MINUTES OF PROCEEDINGS AND EVIDENCE  
AND ORDERS OF REFERENCE

No. 2—THURSDAY, MAY 23, 1929

WITNESS:

Mr. W. A. Found, Deputy Minister of Fisheries.



## ORDERS OF REFERENCE

MONDAY, May 20, 1929.

*Ordered*,—That the subject matter of the Government Notice of Motion standing on the order of proceedings for this day, respecting the protection, preservation and extension of the sockeye salmon fisheries in the Fraser River System, be referred to the said Committee as follows:—

That it is expedient that Parliament do approve of the convention for the protection, preservation and extension of the Sockeye Salmon Fisheries in the Fraser River System, which was signed at Washington on the twenty-Seventh day of March, nineteen hundred and twenty-nine, on behalf of His Majesty for the Dominion of Canada, by the Plenipotentiary named therein, and that this House do approve of the same.

Attest.

ARTHUR BEAUCHESNE,  
*Clerk of the House.*

---

THURSDAY, May 23, 1929.

*Ordered*,—That the said Committee be given leave to sit while the House is in session.

Attest.

ARTHUR BEAUCHESNE,  
*Clerk of the House.*

## MINUTES OF PROCEEDINGS

COMMITTEE ROOM 425,

HOUSE OF COMMONS,

THURSDAY, May 23, 1929.

The Select Standing Committee on Marine and Fisheries met at 11 o'clock a.m., Mr. Duff, the Chairman, presiding.

The following members of the Committee were present: Messieurs Beaubien, Bissett, Blanchard, Bourgeois, Brady, Dickie, Duff, Dussault, Jenkins, MacDonald (Cape Breton South), Macdonald (Richmond West Cape Breton), MacLean (Prince), McQuarrie, McRae, Morrissy, Neill, Quinn, Short, Sinclair (Queens)—19.

The Chairman declared the meeting open, and explained that the Committee had been called together to consider the matter referred to the Committee in connection with the Convention of the United States and Canada for the protection, preservation and extension of the Sockeye Salmon fisheries in the Fraser River system.

Mr. W. A. Found, Deputy Minister of Fisheries, being in attendance, was requested by the Committee to make a statement giving a resume of the events prior to and leading up to the signing of the Convention now referred to the Committee for consideration, with reference also to the conditions surrounding the salmon fishing industry of the Fraser River and other waters adjacent thereto, in which the United States and Canada were mutually interested.

Mr. Found addressed the meeting, and during the period of his remarks answered many questions by members of the Committee. A map, supplied for the purpose, was used to explain conditions and the habits of salmon during the period of their growth and their final return to their native spawning areas. (see evidence).

Mr. McQuarrie thought that the Committee should have had some knowledge before the final action was taken in regard to the Treaty. He read a motion which he moved before the Committee on June 17th, 1926, in which he made strong representations that the Government should take such action.

Considerable discussion arose in this connection, and also in connection with a meeting held in the City of Vancouver last winter, at which the Deputy Minister met with fishery organizations of British Columbia, and Mr. McQuarrie claimed that the Members of Parliament had not been sufficiently apprised and in consequence were not present for the most part.

Mr. McRae stated that he desired to register his complaint before the Committee. He had spoken strongly on the matter in 1927, at a meeting of the Committee on March 28th, of that year, and thought it was understood then that an opportunity was to be given to discuss the Treaty before it was signed.

Mr. McQuarrie read a telegram respecting Treaty. Mr. McRae also read a telegram in the same connection, both of which are shown in the evidence.

Mr. Neill made a statement in reference to the meeting held in Vancouver and gave a partial list of those present, and read the resolution passed by that meeting. He also read telegrams from organizations in respect to the Treaty, which appear in the evidence of this date.

Some further discussion ensued and some further remarks by Mr. Found. Mr. McRae suggested that the Committee have a meeting to get the whole treaty before them. The Witness retired.

Mr. McRae moved that the Committee recommend to the House that they be given leave to sit while the House is in session.

Agreed to.

The Committee adjourned to meet again on Monday, May 27th, at 11 o'clock a.m.

E. L. MORRIS,  
*Clerk of the Committee.*



## MINUTES OF EVIDENCE

ROOM 425, HOUSE OF COMMONS,

THURSDAY, May 23, 1929.

The Select Standing Committee on Marine and Fisheries met at 11:00 a.m., the Chairman, Mr. Wm. Duff, presiding.

Mr. SINCLAIR (*Queens*): Would it not be well to ask leave to have the proceedings printed?

The CHAIRMAN: The suggestion is just to have copies for the members.

Mr. SINCLAIR (*Queens*): For leave to have the report printed.

The CHAIRMAN: We will deal with that afterwards.

Mr. SINCLAIR (*Queens*): I would move that we ask leave to have the report of the proceedings printed.

Motion agreed to.

W. A. FOUND, called.

The WITNESS: Mr. Chairman, let me just say this word, that I will have to speak without reflection, as I did not know until this minute that I was going to be expected to make a statement of this kind. However, I am so familiar with it that I think possibly I can give you, if you will question me at any time on any matter not made clear, the information you may need.

Briefly, the situation is this: the Fraser River is, potentially, the greatest sockeye salmon producing area on this Continent, and for that matter, in the world. What the capability of the Fraser River is is measured by what was known in years gone by as the big years. Right there, let me say that from the earliest records that we have there was the peculiar phenomenon in the Fraser River, so far as the sockeye salmon fishery is concerned, of one very large run followed by three smaller ones. These came to be known as big years and off years. There are only theories as to the reason for this. Certain facts we know. One fact is that the sockeye salmon of the Fraser River is predominantly a four-year fish, that is, it reaches maturity; spawns and dies when it is four years old. Hence it is that on the progeny of the seeding of any one year depends, in the first instance, the run the fourth year thereafter.

About 100 miles from the mouth of the Fraser River, or a little over, there is what is known as the Great Canyon where the Coast Range and Cascade Range of mountains come so nearly together that the river is compressed through a great canyon, and emerges from that canyon through a narrow gate, caused by an out-jutting rock where the whole width of the river is not more than approximately 140 feet. The progress through that canyon which is 60 miles long, is always difficult to those who have not seen the salmon make their way against the obstacles that they must make; it would be almost inconceivable to realize the waters that they must progress against, and the falls over which they can go. The greatest difficulty in that canyon was not, as might be expected, right at that gate. It was inside the gate, and at a number of places farther on. That gate is known as Hell's Gate, on account possibly of its very turbulent condition.

[Mr. W. A. Found.]

One theory, and this theory seems to have a lot to support it, is that the big year of the past was due to the fact that in some of the very early days a great slide came from the mountain into that canyon and blocked the fish from getting up any farther that year. As a result, four years thereafter, the run had to depend on the spawning areas below Hell's Gate, which are not more at the outside than 25 per cent of the whole.

*By Mr. Neill:*

Q. You said the big year. You mean the small year. You said that the big year was caused by the slide, it was the small year.

*By Mr. Brady:*

Q. Please give the year.—A. The big year was an odd year, 1905, 1909, 1913, and so on. I am just getting at one theory so that you will have the picture of it before you as to what caused that big year and the off-years. I am corrected by Mr. Neill, and I thank him. One theory is that it was caused by a slide from the mountain into the canyon which prevented the salmon getting up that year to the spawning areas above so that four years hence the run depended on the restriction of the spawning areas below Hell's Gate, which are not more than 25 per cent of whole.

The next year the effect of the water would possibly remove some of that obstruction; the third year more of it. These three off years were in that progression, in any event, a smaller one, a larger one, and then a little larger one, and by the fourth year it had all been cleared out, so that in the fourth year it was an unobstructed one.

*By Mr. MacDonald (Cape Breton South):*

Q. Why should that continue right along from that time to this?—A. Because the Fraser River Sockeye is a four year fish, so that the fish of any year dying after it spawns will affect the run four years thereafter.

Q. Would it not apply the same in any year?—A. This has occurred year by year. 1901 was a big year, 1905 a big year, 1909 a big year and 1913 a big year, and through all years the same.

*By Mr. Sinclair (Queens):*

Q. This obstruction was removed altogether.—A. I do not think I made myself clear. The theory is that a slide from the mountain came into that canyon, and it took, if you like, three years for the water to wipe it out.

Q. Have those obstructions been occurring every four years?—A. Oh, no. It would be one year permanently. I should have made one other statement to make this clear. The sockeye salmon—and most salmon—has the characteristic of going back to spawn in the area in which it was hatched, so that those fish that were hatched in those off years below Hell's Gate would not have instinct when they were coming back to go back above, so that while the obstruction was out the fish just would not come.

The CHAIRMAN: This obstruction was made when they built the Canadian Northern Railway.

The WITNESS: This I am speaking about is one that occurred several hundred or a thousand years ago. That is, it was there when we knew the fishery. That condition existed when the fishery began. There were these three off years and the big year.

When the fishery began it was started on the Canadian side of the Fraser River. That was about 1876, I think, and it was not a large fishery as the demand was not great. But there were plenty of fish for all requirements in the

off years, as well as in the big years. Some few years later the State of Washington came into the field. Their fishing conditions, their coastal conditions being different, they had to adopt the different method of fishing, and they started out with the method of fishing, but building large traps. The fish in coming in from the ocean—I should say here that the sockeye salmon goes to sea when it is in its second year, and remains there until it matures. In coming back they come in mainly through Juan de Fuca Strait to the Gulf of Georgia, but unfortunately they are few in Juan de Fuca Strait, reaching to about the southern end of Vancouver Island, when they pass over to the United States side and come along on the United States side, and do not emerge in any numbers there until they reach the Canadian boundary above Point Robert.

*By Mr. McQuarrie:*

Q. Could you point that out on the map?—A. Now, Mr. Chairman, what I was trying to explain was this; that the young sockeyes are hatched in the streams usually which flow into the lakes; that is, they come up the main river and go up the tributaries, through the lakes and into the streams which flow into the lakes. They remain in the lakes until they are in their second year when they come down toward the sea and go out to the Pacific Ocean where they remain until they reach maturity, and nature bids them go back to spawn. In doing so, while there is a small number come down from the North, the vast majority come in from the Pacific Ocean through Juan de Fuca Straits. While they go on both sides of this Strait, when they get down to about the southwestern end of Vancouver Island, they pass over to the United States side and follow along that side through these torturous channels and islands, and emerge again, in some instances going into Boundary Bay and out again, and then on to Point Robert, and on up into the Fraser River. That is possibly due to the fact—and those who are familiar with that territory will understand me—that the waters of the Fraser River, after emerging from the river, come along this United States side of the Gulf of Georgia and Juan de Fuca Strait. The cause for that I am not prepared to say, but the fact is there.

*By Mr. Chairman:*

Q. Probably due to the current of the tide?—A. Yes, and possibly the swirl of the earth.

*By Mr. McQuarrie:*

Q. Mr. Found, will you mark with a blue pencil the most southerly limit of the course taken by the sockeye?—A. They come in both sides there, largely through these various channels. They do not go into Puget Sound. It is impossible for me, offhand, to tell you all these channels they go through, but they do not go down into Puget Sound.

Q. Where is the southern line?—A. Right here. (Indicating.) If you will refer to the treaty which is before you, the south line is indicated in the first article there. It is well defined in article 1.

Q. With what you have before you, we can follow it without any difficulty?—A. Yes. I was leading up to the fishery conditions. In the United States they have different conditions than we have; instead of using long drift gill nets, they build traps. Later on they went in for purse seining, which became more important than trap fishing within this area amongst the islands.

*By Mr. Brady:*

Q. That is American water?—A. Yes. The first big chance at that run of fish was in the State of Washington. When the fisheries on both sides of the line became intensive the off years began to go down. That developed in



the 90's. The off years were being overdone, but regardless of the attack that was being made on the fish in the big years, the numbers were so great that notwithstanding the great catch made there was no diminution of the runs indicated. That is evidenced by the facts. For instance, in 1901 and 1905 the pack of sockeye salmon on both sides was 1,662,942 cases; four years later, in 1909, it was 1,640,152; in 1913, it was 2,357,695.

*By Hon. Mr. Sinclair (Queens):*

Q. Have you a record of each year?—A. I have.

Q. Could that be incorporated in the report?—A. I intended to give you that a little later on.

*By Mr. McRae:*

Q. Does that statement include 1928?—A. That includes 1928.

Q. The figures I have here are rather illuminating. My report is—and you will correct me if it is not right—is that Canada got 26,000, the United States got 60,000, a total of 86,000—A. That is right, in round figures.

*By Mr. Neill:*

Q. What was the largest in any year?—A. 2,357,695 in 1913. Negotiations to try to offset what was going to be the evident result of excessive fishing in the small years began. Speaking from memory, as long ago as 1904 or 1905, a special commission was appointed to go into the matter, and endeavoured to arrange regulations with the State of Washington, which would apply to these off-years only. In 1913, which was a big year, there was a disaster, international in its effect, in that owing to railroad construction deposits of the rock which was blasted out fell into Great Canyon and so obstructed that canyon as to make it impossible for the fish to go to their spawning areas and get up. No one, either engineer or fishery expert, had any idea that the effects of these comparatively small portions of rock going into the Great Canyon, would be what they were, but the result became evident when the fish got into the canyon and tried to get out again. Then it became evident that disaster was facing us. Immediate action was taken to have the obstruction removed. They were commonly said to be at Hell's Gate, but the fact is that they were above Hell's Gate in the canyon at three different places. Every possible effort was made to have the fish of that year pass up, but it could not be done. The result was that the spawning of that year, like that of the off-years, was practically restricted to the area below Hell's Gate, and from that time on the big years ceased to exist.

*By Mr. Dickie:*

Q. Four years after that there was a pack of 500,000 cases, so some fish must have escaped?—A. Yes, a considerable number escaped. There were some that got up, but nothing like the big year's pack, and not anything like a run which could stand the onslaught which was being made on it from every side.

*By Mr. McRae:*

Q. Was that the year of the 500,000?—A. 1917.

Q. Then, in the cycle year of 1921—what was it then?—A. It was considerably less, 138,867; then in 1925 it was 137,587.

Q. That would be the last big year?—A. Yes.

*By Mr. Brady:*

Q. In your report of the Fisheries Commission you mention that in 1917 the pack was only 148,000 cases.—A. Yes, on the Canadian side.

Q. You are referring to the total pack?—A. That was 123,614 on the Canadian side and 411,538 on the United States side.

Q. Now, I think I have made reasonably clear the conditions which caused it to cease to exist. Let me now come to the point that is of important interest, as I understand it, to the Committee.

*By Mr. McRae:*

Q. Before you go into that, would it not be all right to enlarge again on the method of fishing on both sides of the line? I think that would be interesting to the Committee.—A. On the United States side, in the State of Washington, owing to the fact that conditions there are not suitable for extensive drift gill net fishing, fishing developed there by the building of large trap nets.

Q. Is it true that gill nets would not catch fish down there, or that they did not consider it a good commercial way of doing it?—A. It is not a good commercial way of doing it, and the conditions there are not as favourable as those which we have.

*By Mr. Brady:*

Q. It is owing to the number of islands?—A. Owing to various things. One is that successful drift net fishing needs turbulent waters, and the waters of the Fraser River and its tributaries are very muddy and dirty, so that the gill nets are not readily visible to the fish, and fishing is much more successful with gill nets in an area of that kind.

*By Mr. McRae:*

Q. There are some gill nets used?—A. Yes, but in a comparatively small way.

Q. Three hundred and some?—A. I have not the number with me, but I can get it. It is comparatively small, and in certain areas around the mouth of Skagit River. The fishing there developed in the first instance with traps. That is, first a long leader is built out from the shore and attached to piles. The fish coming up would come against that leader and be led out by it into a trap at the end where they would be caught.

Q. That trap is about 2,900 feet long—a little over half a mile?—A. It depends entirely where it is built. If it is built where that water is so deep that it can be only a short leader, it is a short leader, but if it is built where they can use a long leader, it is a long leader. The distance between the traps is regulated and the extreme length is regulated.

Q. The average is about 2,500 feet?—A. I would not like to say that without refreshing my memory; that may be true.

Q. The web that is used on those traps—A. It is usually galvanized wire on the leads.

Q. With a small mesh?—A. Yes.

Q. About two inches?—A. Yes.

Q. Which lets no commercial fish escape?—A. It would not let any through.

Q. There are two hundred licenses out for traps in Washington?—A. I have not the number with me at the moment. That may be. These traps, of course, are very easily regulated. Do not let us get into any misconception regarding them. The trap is an instrument more easily regulated than any other machine which we have in fishing, because if you want to put it out of commission all you have to do it to open up the trap end, so the fish hit the lead, and go right through so it is not a hard instrument to regulate and control.

Q. That is true of all fishing implements?—A. No, that is not the case with the gill nets or the purse seines. Of course if it is not seen, you can get away with it.

*By Mr. Neill:*

Q. The trap fishing is the most destructive?—A. One of the most capable if it is in a suitable place; not the slightest doubt about that. I am trying to get before the Committee what the actual conditions are. That was the method of fishing developed at first, and later on we had the purse seines which are more important than trap fishing.

*By Mr. McRae:*

Q: Purse seines are about half a mile long?—A. Not far off that.

Q. There is no limit to the depth?—A. There is a limit to the depth, yes.

Q. Roughly, about one hundred feet?—A. I would have to have the regulations before me. I am sorry I did not know that I was to be called upon.

Q. I am told that there is no depth limit in Puget Sound.—A. So I am told.

Q. We will say that a purse seine is 2,500 feet long; they all use heavy powered boats?—A. Yes.

Q. The Committee will be interested in this, that we have the most modern fishing equipment on the Pacific coast. These purse seines are handled in gasoline driven power boats, 50 to 75 horse power, with a crew of about 12 men, and the seine is drawn in and pursed by power. The seine is run around a school of salmon, and then both ends are drawn together. The top edge is made to float by sufficient corks, and the bottom ends sink rapidly by heavy weights, and there are rings in the bottom edge through which ropes are drawn. Two ends of the ropes are brought together and put over a windlass, and the power turned on, and it closes the seine right up.

Q. The power seines have a small mesh, about three inches?—A. Yes.

Q. So it catches all commercial fish?—A. Yes.

Q. How many purse seines are out?—A. I have not got that information here.

Q. My information is that there are 1900 of them—present licenses?—A. Well, I would like to check that up; I do not know what it actually is.

*By Mr. McQuarrie:*

Q. How far out to sea do the purse seines go?—A. They are being used for some kind of fishing out a very considerable distance. I would not like to say how far; at least to the Swiftsure Banks. It would be about 12 or 15 miles approximately.

Hon. Mr. STEVENS: Forty miles out from Vancouver Island.

*By Mr. McQuarrie:*

Q. American purse seines operate out there?—A. Yes, but mainly they are fishing for young salmon.

Q. They would be used out there also for the purpose of catching sockeye?—A. If sockeye salmon were schooled there.

*By Mr. McRae:*

Q. They do catch some sockeye?—A. Very few.

*By Mr. McQuarrie:*

Q. If you had a big run of sockeye they could probably catch them with that seine?—A. Not unless they would school; you cannot catch fish with a purse net unless they are schooled. It is an implement that is used where you find the fish bunching together.



*By Mr. McRae:*

Q. In that case, is it not true that they have gone out there and when they see a certain class of birds flying around they throw the seine around the area, and catch these fish without seeing them at all?—A. But the school must be there.

*By Mr. McQuarrie:*

Q. The sockeye salmon does come in schools?—A. It schools up when they get into the areas—certain areas. We do not know enough about the sockeye life history in the sea to say definitely.

Q. You do not know how far out they go?—A. Nor where they stay.

Q. But you know when they are coming down the west coast of Vancouver Island, and also the south coast of Vancouver Island, that they do school?—A. When they are in the Strait, yes. I can refer you to Mr. Burke, whom I am glad to see here to-day, and who has practical knowledge. We do know as a fact that purse seining is not a method of catching sockeye outside to any extent.

Hon. Mr. SINCLAIR: Could Mr. Found make a statement, then we could ask questions?

The WITNESS: I was coming to what I understand to be, in my humble way, that which the Committee is anxious to know; that is, the negotiations which have taken place looking to a remedy for this situation.

*By Mr. McRae:*

Q. Before you do that, let us clear up the method of catching fish. We have dealt with the American side. My information is that on the American side, 93 per cent of the fish are caught with traps and only about 7 per cent with gill nets. That is approximately right?—A. I would not be prepared to dispute that.

Q. In the United States the fishing is done with heavy power and the use of few men, and by equipment which takes all the commercial fish, purse seines, drag seines, open seines and traps.—A. I think that is a proper statement.

Q. How do they handle it on the Canadian side?—A. On the Canadian side our fishing is almost exclusively carried on in that district (indicating) with long gill nets, 250 fathoms long. Let me say here, so that there may be no misconception, that the Fraser River is possibly the most heavily fished area of any area of its size anywhere. When you get, like there were in the big year, 3,000 fishermen fishing in the restricted area, each using a net 250 fathoms long, 6 feet to the fathom, you can conceive at once how much net is in the water there. We have on our side rules where we have had consistently long closed times when we required all the nets to be taken out of the water. These nets are thrown across the current and drift with the current and the fish ascending run into the nets and cannot back out. They are caught by the gills in the so-called gill nets, as some people call them, or drift nets as they are called by others, both describing them rightly. That fishing was first restricted to the Fraser River, but now extends away out into the Gulf of Georgia.

Q. The regulations agree with my report, 150 fathoms in district No. 1?—A. Yes, 150; 200 fathoms in the north; the 150 fathom nets are deeper.

Q. You had a 5 $\frac{1}{4}$  inch mesh up until this year?—A. Yes.

Q. What was the idea?—A. The claim was made by the late Dr. Gilbert that the result of a small mesh was to sift out the big fish and allow too great a majority of the small fish to get away and go to the spawning areas with the result that the size of the run was being brought downward. The size of the fish is now, on the whole, considerably lower on an average than it was a number of years ago. There is with these double purses something in regard to the regulations of the nets, whether a small mesh is wise or is not, it certainly

has the effect that while it is in operation it prevents the big fish from getting through and getting on to the spawning grounds, and leaving the large fish to reproduce.

Q. How many gill-nets were set last year—1,068 and 235 transfers, making 1,303?—A. That is about it.

Q. Now, that is a two-man boat, is it not; there are two men to the boat?—A. Usually.

Q. And they pull them in by hand the same as they did in Galilee two thousand years ago?—A. Oh, well, a great number of vessels, or a great number of fishermen use gasoline boats.

Q. They did not have gasoline in those days?—A. No.

Q. But they pull them in over the side of the boat?—A. They pull them in by hand.

Q. Then you would have about 2,600 people fishing, two men to the boat?—A. Roughly.

Q. And in a big year, what would you estimate?—A. I am speaking from memory. There were 3,200 fishermen fishing there in 1913.

Q. That would be about 6,500, two to the boat? So that we would have in a fishing season, with that river at its flood, a big year, employment for ten thousand or fifteen thousand fishermen, would we not, in canneries and all that, if we were getting up to the old run?—A. I would not say that that picture was wrong.

Q. I notice, Mr. Found, that the government in their correspondence with the Secretary of External Affairs stated that the whole run would be worth \$35,000,000 at the present time as against a depleted run of probably two and one-half million dollars. Is that right?—A. Assuming that \$18 would be a fair price per case—and I think that would be accepted as a reasonably fair price for fish at the present time—it would be about forty-five million dollars, I would say.

Q. So that half of that forty-five million dollars would mean twenty million dollars or more to the country, if the fishery were restored?—A. Quite so.

Q. There is just one other thing that I would like to put on record here, and that is as a result of the fishing, as carried on in the past, the Americans caught on an average 70 per cent of the fish, and the Canadians 30 per cent, and that in one year the Americans caught as much as 77 per cent of the fish. Last year, you will note that they caught 60,000 cases out of a total of 86,000 cases. That would be how much?—A. It is over 90 per cent.

Q. Now, then, when we come to doing something to overcome a situation, such as General McRae has pictured to you, producing a very small run of fish against a possibility of a very large run of fish, obviously the United States could not do it alone, because the fish were all reproduced in our waters. Obviously we could not do it alone, because they had the first go at the fish when they were coming in from the sea, and could catch over 70 per cent of them with their present equipment. So that there was only one way of doing it and that was for the two countries to cooperate. As a matter of fact, Mr. Chairman, with a number of our fisheries they are continental in their character rather than national. That is true of our lake fisheries, for instance. Fish may be on one side of the water to-day and on the other side of the water to-morrow, and we find runs of salmon occurring off our coast which have their spawning areas largely in United States waters. We find runs of fish in our waters that are also passing through American waters in coming there. So we have that condition that we must keep prominently in mind.

[Mr. W. A. Found.]

If we are going to protect a number of these fisheries to the extent that they need to be protected, there has got to be international co-operation in doing it. As early as 1908, the two countries, realizing that, entered into a treaty for the protection of the fisheries, in all boundary waters from Passamaquoddy Bay to Juan de Fuca Strait. That treaty provided for the appointment of a commission, if I remember rightly the wording of it, to make regulations. It was the understanding at the time that the regulations that would be drawn up by that commission would be enacted and become law. These regulations in the process of time—1910 I think—were concluded. We amended the Fisheries Act so as to enable us to put them into effect, which we could do by Order in Council under the amendment.

It appeared that in the United States these regulations had to receive the same character of approval that the treaty itself had to receive, so they were referred to the United States Senate for approval, and that they did not receive.

Canada continued to urge favourable consideration of these regulations. It became quite obvious that if the United States Senate were permitted to amend some of them nothing would be accomplished, so that it had to be the regulations or nothing. We continued to urge favourable consideration of those regulations, and finally when it became obvious that there was no likelihood of them being approved Canada resumed liberty of action from the treaty. That was, I think, in 1914.

In the fall of 1917 an international commission was appointed to endeavour to bring about a settlement of various outstanding fishery questions between Canada and the United States. Amongst the questions referred to that commission was the Fraser River question. That commission reached unanimous conclusions, unanimous recommendations in the matter, and it endeavoured to profit by the experiences under the 1908 treaty. They recommended a treaty and also specific regulations which should be approved. That treaty was signed in 1919. It developed, when it came up for consideration, that Article 2 of the treaty was so worded that a man might be tried and condemned for an offense in one country, and if he came to the other country he might be tried and condemned for that same offense. There was some objection to that, so the treaty was re-signed the following year, and that article re-written. It was then submitted to the United States for approval, but that approval again was not obtained, objection to the regulations being obviously the cause.

*By Mr. Brady:*

Q. Was it not that the State of Washington objected to them?—A. That might very well be. All that I can say is that the United States Senate to which it was referred failed to approve these regulations. As to why it did so, you will be able to draw your own conclusions.

*By Mr. McRae:*

Q. At this point, will you just give a little resume of that 1920 treaty with a view to showing the difference between the present treaty and the 1920 treaty.

Mr. McQUARRIE: 1908 first.

WITNESS: The 1908 treaty provided for the appointment of a commission to make regulations that would affect the boundary waters all along the boundary, which it did. Those regulations were not approved. The machinery was that both countries were to enforce the regulations, and the 1920 treaty provided for the appointment of a commission, to draw up specific regulations which would govern the sockeye salmon fishery.

[Mr. W. A. Found.]



*By Mr. McRae:*

Q. How did those regulations affect the American situation? Did it affect the discontinuance of the traps, or anything like that?—A. My understanding is that the effect of those regulations would have been largely to eliminate purse seining on the United States side in as much as it prohibited purse seining amongst the islands, in the areas where purse seining could most effectively be carried on, and you can quite realize the objection that its elimination would cause. In any event, you had these two factions, the trap fishermen and the purse seiners.

Then the State of Washington—I speak subject to correction—I think in 1921 adopted legislation to enable it to appoint a Fisheries Board, which Board was given very broad powers. It was the understanding—and I think that understanding was right—that such a Board would be able to deal with this situation. As the treaty was not being approved that was before the United States Senate, following the appointment of that Board our department arranged for a conference with the representatives of the Washington State Board. That was, I think, in 1921, or 1922. Again I have to speak subject to correction.

Mr. BRADY: 1921.

The WITNESS: 1921. We met in Vancouver, and could not come to a final agreement, a principal reason being that there could be given us no assurance as to what would happen if we, for instance, closed all fishing for a certain time, as to what would happen thereafter.

*By Mr. MacDonald (Cape Breton South):*

Q. Can you tell us what are the respective powers of the State of Washington, with their federal authorities and ours? Are they the same?—A. No. In the United States each state controls and administers its own fisheries, makes its own laws, and administers its own fisheries. In the United States, however, as here, a treaty with a foreign country overrides all conflicting state or federal laws, so that it becomes the paramount law of the land, and hence a treaty with the federal government of the United States takes the matter to the extent that that treaty is supreme. With us the administration of the fisheries in all tidal waters is vested in the federal government. The regulations of the fisheries everywhere is vested in the federal government. So that in British Columbia both the regulation and the administration of the commercial fisheries are in the hands of the federal government. It was impossible to reach a satisfactory agreement with the Washington State Fishery Board, which Board has since disappeared, I understand.

The situation, so far as the Fraser river was concerned, was growing worse year by year, as a statement of the packs on each side of the line, which I will be glad to hand to the stenographer, and which can be incorporated in the record will show. This statement shows the packs on each side, from 1902 to the present year inclusive.

STATEMENT SHOWING THE PACKS OF SOCKEYE SALMON IN THE AREA COVERED  
BY THE FRASER RIVER TREATY SINCE 1902 INCLUSIVE

Year	Fraser River No. cases	Puget Sound No. cases	Total No. cases
1902.. . . . .	293,477	372,301	665,778
1903.. . . . .	204,809	167,211	372,020
1904.. . . . .	72,688	109,264	181,952
1905.. . . . .	837,489	825,453	1,662,942
1906.. . . . .	183,007	178,748	361,755
1907.. . . . .	59,815	93,122	152,937
1908.. . . . .	63,126	170,951	234,077
1909.. . . . .	542,248	1,097,904	1,640,152
1910.. . . . .	133,045	248,014	381,059
1911.. . . . .	58,487	127,761	186,248
1912.. . . . .	108,784	184,680	293,464
1913.. . . . .	684,596	1,673,099	2,357,695
1914.. . . . .	185,483	335,230	520,713
1915.. . . . .	89,040	64,584	153,624
1916.. . . . .	27,394	84,637	112,031
1917.. . . . .	123,614	411,538	535,152
1918.. . . . .	16,849	50,723	67,572
1919.. . . . .	29,628	64,346	93,974
1920.. . . . .	44,598	62,654	107,252
1921.. . . . .	35,900	102,967	138,867
1922.. . . . .	48,744	48,566	97,310
1923.. . . . .	29,423	47,402	76,825
1924.. . . . .	36,200	69,369	105,569
1925.. . . . .	31,523	106,064	137,587
1926.. . . . .	83,589	44,569	128,158
1927.. . . . .	57,085	96,343	153,428
1928.. . . . .	26,530	60,081	86,611

We then came to consider how this matter really could be dealt with. It was fairly obvious, in the light of experience, that favourable consideration of regulations in the United States Senate could not be relied upon, conflicting interests in the State of Washington possibly being the cause. So that after canvassing the situation, in the light of 20 years experience, from all sides, it did seem that the only effective method of reaching conclusions was to give control of the situation, so far as was necessary to handle this particular fishery, to a competent commission. Negotiations for the present treaty, with that in mind—

*By Mr. McRae:*

Q. When was the commission appointed, Mr. Found, that negotiated the present treaty?—A. There was no commission, it was negotiated by the governments of the two countries.

*By Mr. McQuarrie:*

Q. You have not touched the 1922 commission?—A. There was no commission appointed.

Q. There was the B.C. Fisheries Committee of which the present Chairman was the Chairman.—A. The recommendations there, as I recall them, were for an agreement with the State of Washington.

*By Mr. Neill:*

Q. And it was a divided report, was it not?—A. It was a divided report.

*By Mr. McQuarrie:*

Q. You have not given a resume of that; just to make the record complete.—A. I dislike to speak entirely from memory, but my recollection is that it recommended an arrangement between the State of Washington and Canada.

[Mr. W. A. Found.]

Q. The pages are marked on the outside.—A. The majority of the commissioners recommend:

That authority be given with the least possible delay for taking up with the Washington State Board the constitution of such a commission as is proposed, with a view to its operating on the basis of the understanding reached at the aforementioned conference.

*By the Chairman:*

Q. Read the recommendation, Mr. Found?—A. I had better just read this paragraph, if I may:

*By Mr. McQuarrie:*

Q. Why was that agreement not made effective then?

Mr. NEILL: Get the minority report now.

WITNESS: There was a minority and majority report.

*By Mr. McQuarrie:*

Q. Why was it that that arrangement was not brought into effect?—A. The government did not approve of it. I do not know whether there would be anything gained by us going into a dissertation which would only raise a discussion, but the fact of the matter is that the government did not approve of the majority report, as I read it.

Now, then, the treaty—

Q. Before you get to that treaty, Mr. Found. I see in the Minutes of the Committee, that is, this Marine and Fisheries Committee, of Thursday, June 17th, 1926, the following motion:

That in the opinion of this Committee immediate action should be taken by the Government with a view to restoring the run of Sockeye salmon on the Fraser River, provided however that before any definite arrangement is made with the authorities of the United States of America, or State of Washington, details thereof shall be communicated to the Cannerymen and Fishermen's Association of British Columbia and they be afforded an opportunity to make representations in reference thereto.

That motion was agreed to and a report afterwards was adopted by the House?—A. Yes.

Mr. SINCLAIR (*Queens*): What was the consideration before the Committee when that was made?

Mr. McQUARRIE: "The Chairman stated that he understood Mr. McQuarrie had a resolution to submit to the Committee, in connection with the Fraser River salmon fisheries, which had been spoken of at a previous meeting, and it would, perhaps, be best to put his resolution before the Committee at once."

Mr. SINCLAIR (*Queens*): It is not a reference from the House.

The WITNESS: Mr. Chairman, that was done, so we need not argue about it.

The CHAIRMAN: I do not see what it has got to do with this.

Mr. McQUARRIE: The point is this: I want to ask Mr. Found why this treaty was signed without this Committee and the interested parties knowing something about the details of it. My understanding was this, Mr. Chairman, that before the treaty was concluded, that is, before the details were settled, this Committee should have the right to know what they were, and what was proposed to be done, and instead of that, this treaty was signed up without this Committee and other interested parties knowing anything about the details

[Mr. W. A. Found.]



of the proposed treaty at all. Speaking for myself, I want to say that I did not know anything about this matter until the treaty was brought down in the House; that is, as to the details of it. I knew that negotiations were going on, but I did not know anything about the details of this treaty at all, and I think I can say that that is true in the case of all the Conservative members from British Columbia.

The CHAIRMAN: Mr. McQuarrie, in the first place I do not think it is necessary for the Government to discuss matters of treaty with the United States Government with individual members of the House of Commons, or the Senate. You said that Conservative members from British Columbia were not consulted. I may say that I was not consulted about it, or any Liberal member.

Mr. McQUARRIE: Well, that was the arrangement. I understand from Mr. Neill, however, that there was a meeting in Vancouver this last winter, which was attended by Mr. Neill, but none of the rest of the members from British Columbia even knew that such a meeting was going to take place.

Mr. McRAE: I would like to register my complaint here before this Committee. I came in here, and at my request, Mr. Chairman, you called a meeting. The record shows it was March 28, 1927. At that meeting I dealt at length with the uneasiness felt by the citizens of British Columbia, as to the necessity for a treaty, and the uneasiness that they felt with regard to the press reports then in circulation. I will not attempt to dwell on it at length now. I notice there is very small mention made of it in the Minutes. It says I made some remarks respecting the conditions surrounding the salmon fisheries of British Columbia. I spoke here for about twenty minutes, as all the members will remember, those who are here. I placed the matter strictly up to the Committee, and I thought I had an understanding with the Deputy Minister who was then the Director of Fisheries, that before a treaty was signed we would have an opportunity to discuss it. As the Chairman says the Government did not have to discuss the treaty, but I leave it to all of you to say whether it would not have been better to discuss this treaty before it was signed than to discuss it now. This treaty was under negotiation in March, when this House was sitting, and I want to know why the Deputy Minister did not carry out the understanding we had here two years ago.

The WITNESS: Mr. Chairman, so far as any understanding of that character is concerned, it is certainly quite foreign to any understanding I had. Moreover, I would not, being an officer of the Government, be prepared to do anything of that nature, without the direction of the Government. So far as this resolution is concerned that was passed by this Committee, the facts are these: that when I was going to British Columbia last year I had the associations referred to in that resolution notified that I would be there, and that I would be glad to meet them to discuss the situation. I, of course, was unable to submit to them a treaty. I explained to them, as fully as I could explain, what we felt should be in any treaty, what the main provisions of such should be, and at the conclusion of that conference—

*By Mr. McQuarrie:*

Q. Who were at the meeting?—A. I cannot tell you. I asked that the association be notified, that I would be glad to meet representatives. I can tell you some, but I would not like to say that those were the persons who were there—

Q. You have not got the record here?—A. I have not got the record of the people who were present. The B. C. Fishermen's Protective Association of New Westminster, and the Canned Section of the Manufacturers Association.

Q. The Cannery Association? You say the Canned Fish Section of the Board of Trade?—A. No, I said of the Manufacturers Association.

Q. Well, is that the same thing as the Cannery Association of British Columbia?—A. I understand so.

Q. Because I have a telegram here, which was given to me by Hon. Mr. Stevens, as follows:

VANCOUVER, May 20, 1929.

Have seen yesterday's wires Gosse yourself. Stop. Treaty not yet considered by association. Stop. My personal view retention Dominion control Canadian waters absolutely necessary. Stop. Proposed terms constitute alarming precedent.

(Signed) H. BELL IRVING.

He is one of the leading cannerymen in British Columbia.

Mr. McRAE: I have a wire here, Mr. Chairman, dated May 20, as follows:

Referring your wire Treaty considered by Association to-day all agreeing necessity retention Dominion control Canadian waters though agreeing terms Treaty in principal.

(Sgd.) RICHARD J. GOSSE.

Mr. NEILL: I could give you some light on this. This resolution which Mr. McQuarrie has read out from the minutes of June, 1926, says: "The details of the arrangement should be communicated to the cannerymen and fishermen's associations of British Columbia and they should be afforded an opportunity to make representations in reference thereto." There is nothing said about referring it to this Committee, as the Committee meets only occasionally in certain seasons of the year. At any rate no reference was made to this Committee. This resolution was absolutely and entirely carried out. There was a meeting on November 10th of last year in Vancouver of representatives of the Department, officials of the B.C. Fishermen's Protective Association, and of the Cannerymen's Association. They included Mr. Thomas Hager, H. P. Bell-Irving, G. Bushby, R. Bell-Irving, and Messrs. Dalton and Lanning, W. E. Maiden, and I think Mr. Marshall was there. The latter two represented the B.C. Fishermen's Protective Association. Mr. Maiden is the secretary and is a very capable man, well qualified to be their mouthpiece.

Mr. McQUARRIE: How did you come to be there?

Mr. NEILL: I always make it my business to be on hand where the interests of my constituents are concerned. This is the resolution which they passed:

That this assembly representing fishermen, cannerymen and others interested in the rehabilitation of the Fraser River fisheries had heard with interest Mr. Found's remarks in this connection and wishes to go on record as being in favour of the principle of such proposed treaty.

I may say that at that meeting in addition to discussing in general terms of the treaty they dealt very particularly and at some length with the composition of the proposed commission. I want to preserve my right to refer to that later on.

Mr. McQUARRIE: Mr. Neill, may I ask, as a matter of information, if they had this treaty before them?

Mr. NEILL: No, it was simply outlined. There was one phase in which the treaty has been altered since then, but it was an unimportant matter, and they were all furnished with copies and made no objection. At that time it was proposed to give the commissioners power to regulate the sockeye salmon for the whole year; afterwards it was changed, limiting it to eleven weeks from the 1st of June to the 20th of August. We did not know anything about that at the

time. It would not have been proper when a treaty was being negotiated with a foreign power to have the exact wording before those who had no official standing.

Now, here is a telegram dated May 20th, 1929:

Industry here whole-heartedly approve Fraser River treaty. American packers on Puget Sound are the only interests opposing treaty. We urge you to give this measure your support.

Mr. McQUARRIE: That was signed "Richard Gosse, Chairman, Canned Salmon Association."

Mr. NEILL: There is another one:

Those interested in fishing industry on Pacific coast including packers and fishermen were very pleased when Canada and United States representatives signed Fraser River Treaty. Every one appears satisfied that something should be done to rehabilitate Fraser River sockeye salmon supply and this is the only constructive and fair Fraser River treaty that has ever been proposed. Treaty covers appointment of commissioners who would have jurisdiction over Fraser river watershed, also water sheds at Puget Sound. With three strong Canadian commissioners we should have nothing to fear and Americans could get no advantage without approval Canadian commissioners. Treaty calls for fifty fifty division sockeye production whereas in past Canada has been getting less than twenty-five per cent. We sincerely trust you will support treaty.

BRITISH COLUMBIA PACKERS, Ltd.

That is signed by the British Columbia Packers, Limited. I may say that I have others here. I have heard from the British Columbia Fishermen's Association since they got the treaty, and all they appeared to be worrying about what was the matter of representation. They apparently wanted representation on that commission.

*By the Chairman:*

Q. Will you go on now, Mr. Found?—A. I think I have led up to the treaty.

Mr. McRAE: We will have to have a meeting to get this whole treaty before us, and I think if Mr. Found would not mind giving the Committee a little information as to the efforts made to restore the Fraser for Canada in the last few years, that will complete the whole preamble to the treaty.

The WITNESS: Mr. Chairman, Canada has not felt justified, under existing conditions, in going into any costly, extensive program beyond what it has been doing in the way of rehabilitating the Fraser River, inasmuch as under present conditions it could expect no more than 30 per cent of the run which would result from such increased conditions. We were seeking to reach arrangements whereby we would have a treaty which would rectify for us a condition which was unfair to us, but which would enable us to co-operatively build up for both of us a fishing industry which would be worth a vast amount more than it could be worth to us or others now.

*By Mr. Dickie:*

Q. Will you explain how it was that in 1926 we got 80,000 cases of sockeye and the Americans got but 40,000?—A. I am not very sure that I can give an explanation that would be accepted as final by everybody.

Q. It shows that they had not been catching all the time from 68 to 75 per cent, or whatever it was.—A. That was an off-year for the pinks, as I recall it, and only a very small effort was being made on the part of the United States,

[Mr. W. A. Found.]



as there was an anticipated small run. Probably that is the explanation of it, more than any other. I do think the conditions were different that year from any other year, so far as their not going after the fish as they might have done, was concerned.

*By Mr. Brady:*

Q. Going back over a period of years, I would like to know exactly how much money has been spent in the propagation of our spawning grounds in the Fraser River area.—A. I think there has been a return in the House in answer to a question, giving that in detail.

*By Mr. McRae:*

Q. I think they said that they were not able to divide it, but that you had spent on cultures since the Department started a little over \$2,000,000?—A. That was given as near as we could.

Q. That was divided between the Fraser River and the rest of the province. Would it be too much to say that you spent \$1,000,000 on the Fraser—that is only a guess?—A. I would like to be in a position to tell you definitely; I would rather not guess.

Q. There was one thing in connection with the Fraser river cultures which was answered the other day in the House and which was very interesting, and you could probably explain it, and that was concerning taking the spawn out of the head waters of the Skeena river where Canadians catch every fish, and sort of robbing the headwaters of that river by taking the spawn over and putting them in the head waters of the Fraser river, so that when they went out to sea the Americans grabbed 70 per cent, while if they had been left in the Skeena we would get 100 per cent. Where was the logic in that?—A. It was not without logic. In the first place, the Stewart Lake hatchery is at the head of the Fraser river and it was impracticable to send eggs from there. It is a short distance from the head watershed of the Skeena to the head watershed of Stewart lake where these hatcheries existed, and it was a matter of putting eggs in it or not operating it at all. There are certain areas around Babine lake which were being overstocked. That is where the eggs were going to waste. Anyone who is familiar with the situation there knows that is the case. Also, while eggs were taken from there they were sent over to the Fraser, but they were also sent to the Skeena.

Q. Not last year?—A. I would not like to speak finally on that, but I think practically as many eggs have been taken to the Skeena as have been taken away. It was a question of seeing what the result of that would be. As a matter of fact, there have been some interesting developments from these hatching experiments which were carried out at Stewart lake.

Q. Commercially, with the Americans catching 70 per cent of our fish, it would not be good business?—A. No; that is one of the reasons why we have not gone into any extensive program.

Witness retired.

The Committee adjourned until Monday, May 27, 1929, at 11 a.m.

v. Doc.  
Can.  
Com.

*Canada Marine and Fisheries  
Standing Committee on, 1929*

M

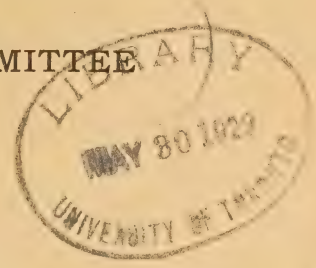
SESSION 1929

*Vol. 40 17  
- 112*

HOUSE OF COMMONS

SELECT STANDING COMMITTEE

ON



# Marine and Fisheries

MINUTES OF PROCEEDINGS AND EVIDENCE  
AND ORDERS OF REFERENCE

No. 3—MONDAY, MAY 27, 1929

WITNESS:

Mr. W. A. Found, Deputy Minister of Fisheries.

OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1929

## ORDERS OF REFERENCE

MONDAY, May 20, 1929.

*Ordered*,—That the subject matter of the Government Notice of Motion standing on the order of proceedings for this day, respecting the protection, preservation and extension of the sockeye salmon fisheries in the Fraser River System, be referred to the said Committee as follows:—

That it is expedient that Parliament do approve of the convention for the protection, preservation and extension of the Sockeye Salmon Fisheries in the Fraser River System, which was signed at Washington on the twenty-seventh day of March, nineteen hundred and twenty-nine, on behalf of His Majesty for the Dominion of Canada, by the Plenipotentiary named therein, and that this House do approve of the same.

Attest.

ARTHUR BEAUCHESNE,  
*Clerk of the House.*

---

THURSDAY, May 23, 1929.

*Ordered*,—That the said Committee be given leave to sit while the House is in session.

Attest.

ARTHUR BEAUCHESNE,  
*Clerk of the House.*



## MINUTES OF PROCEEDINGS

COMMITTEE ROOM 425,

HOUSE OF COMMONS,

MONDAY, May 27, 1929.

The Select Standing Committee on Marine and Fisheries met at 11 o'clock a.m. this day, Mr. Duff, the Chairman, presiding.

The following members of the Committee were present:—

Messieurs: Bissett, Bourgeois, Brady, Dickie, Duff, MacDonald (Cape Breton South), Macdonald (Kings), Macdonald (Richmond-West Cape Breton), MacLaren, MacLean (Prince), McQuarrie, McRae, Morrissy, Neill, Quinn, Short—16.

Mr. W. A. Found, Deputy Minister of Fisheries, in attendance.

The Chairman declared the meeting open for the business before it.

Mr. McRae, also Mr. Neill, asked to have certain corrections made in the evidence of the meetings of the previous date, which were recorded by the reporter and incorporated in the evidence of this date.

Th consideration of the order of reference was taken up.

Mr. Found recalled.

Mr. Brady read an article, respecting the "trap regulations for 1929 for Alaska" as announced by the United States Commissioner of Fisheries, when referring to comparative conditions in northern and southern waters.

An active discussion of matters in connection with the Treaty followed in which Mr. McRae and Mr. McQuarrie took a major part, other members of the Committee and the Chairman interjecting occasional questions and remarks. Mr. Found was asked to explain different matters in connection with the Treaty with the United States.

Mr. McRae thought that the file showing the correspondence and communications passing between the Department and different authorities, leading up to the Treaty should be produced for the information of the Committee, and it was later decided that request should be made to the Minister to submit the file in question to the inspection of the Committee.

Mr. McQuarrie read an article from the Daily Colonist bearing on the then proposed Treaty which is included in the evidence of this date.

The Chairman read a communication from the Provincial Secretary of British Columbia, enclosing an Order in Council of the B.C. Government, conveying the satisfaction of the Government of that Province at the conclusion of the Treaty.

Mr. Neill also read an article from the Toronto Mail and Empire quoting the Premier of British Columbia in connection with the safeguarding of the rights of the Province in the terms of the Treaty (all of the above appear in the evidence).

The Chairman read Article 1 of the Treaty.

Mr. Ladner, by permission of the Committee, asked for information as to the 50-50 regulations to be established, which was given by Mr. Found.

Mr. Brady wished to have some questions answered in regard to the Treaty waters as specified in the Treaty.

Mr. Pettit, by permission of the Committee, asked the privilege of making a suggestion in respect to Article 3 in connection with the proposed hatcheries.

Discussion having continued until one o'clock, by general consent the Committee adjourned to meet again on Tuesday, May 28th, at 4 p.m.

E. L. MORRIS,  
*Clerk of the Committee.*

## MINUTES OF EVIDENCE

COMMITTEE ROOM 425,

HOUSE OF COMMONS,

MONDAY, May 27th, 1929.

The Select Standing Committee on Marine and Fisheries met at 11 a.m., the Chairman, Mr. Wm. Duff, presiding.

Mr. McRAE: There are two or three corrections I want to draw attention to this morning. On page 20 we have, I think, the length of the seines mixed up with the number, and we should change the "1,900" to "266". There are 266 seines of 1,900 foot length; there is no limit as to depth.

I notice on page 21 it says that 93 per cent of the fish are caught with traps. "And seines" should be added there. The other I think is a typographical error. Mr. Found answered on page 22, "Over 90 per cent". That should be "About 70 per cent".

Mr. FOUND: That is right

Mr. NEILL: I have a couple of corrections I would like to make. On page 29 I am reported as saying: "I have heard from the British Columbia Fishermen's Association since they got the treaty and all they appeared concerned about was the matter of representation; they apparently wanted representation on that commission". It should be: "urgently wanted". The other is a mistake of my own. On page 28 I said that Maiden was at this meeting in Vancouver and I thought Mr. Marshall. I have refreshed my memory and find there were three and possibly four representatives at that meeting. I think a man named Broderick—or a name something like that—was there.

W. A. FOUND recalled.

*By Mr. McRae:*

Q. Who represented the province at that meeting?—A. I do not think there was anybody.

Q. And Mr. Neill was the only Member of Parliament present?—A. Yes.

Q. Did you notify him?—A. I certainly did not.

Q. He just fell in?—A. The situation was that this committee had passed a unanimous resolution that before the treaty was reached the matter be discussed with representatives of the fishermen and cannerymen.

*By the Chairman:*

Q. The fishermen and cannerymen were notified?—A. My recollection is that Mr. Neill met me on the street in Vancouver that day and asked me if there was any objection to his being there and I said "By no means". I would have given the same answer to Mr. McRae or Mr. McQuarrie or anybody else.

*By Mr. Brady:*

Q. I have one question to ask. You mentioned the other day that the reason why traps and purse seines were used practically exclusively in Puget Sound, south of Cape Roberts, was owing to the configuration of the shore line, and

[Mr. W. A. Found.]



that the waters there were more suitable for trap and purse seines than for gill net fishing. Is that right?—A. I stated that the conditions were more favourable.

Q. In other words, that it was more suitable. Do the same conditions prevail in southeastern Alaska?—A. Yes, no question about that.

Q. The same conditions prevail owing to the configuration of the shore line?—A. I would not like to be quoted as saying that, but I would say the general conditions.

Q. On that point I have the trap regulations for 1929 for Alaska as announced by Henry O'Malley, United States Commissioner of Fisheries. (Reading):—

It is announced that principle adopted a year ago for the southeastern Alaska and Prince William Sound areas, of declaring all waters closed to trap fishing, except in specified waters outside bays and estuaries, will be extended next season to Alaska Peninsula, Chignik, Kodiak, and Cook Inlet areas, which are remaining areas where the trap fishing is permitted.

Action has been taken to further reduce the total number of traps that will be operated in 1929. It is computed that in several areas affected the reduction in traps will be approximately 95, of which about 60 will be in southeastern Alaska. . . . The traps eliminated will include especially those affecting the run to streams in certain bays. In this connection the comment is made that there has been a very poor escapement on the east side of Behm Canal, where it has been considered advisable to eliminate about 17 traps. It is stated that past season's escapement in some parts of southeastern Alaska was not in keeping with the volume of the run.

The CHAIRMAN: Are you making a comparison between the north and south? We cannot deal with conditions in Alaska.

Mr. BRADY: It is all coming down to Puget Sound. I feel, Mr. Found, that looking at the two and knowing the waters of the north I would hesitate to think that the reason advanced is sound. I think that the traps and the purse seines are undoubtedly the cleverest devices possible to catch the run of fish along those shores before they get into fresh water—while they are spawning; and I would like to know, for my own information, if it looks to you as if the purse seines and fish traps used as they are, are for the purpose of having a continuous supply of fish for the canners, and a better quality seemingly obtained. I hesitate to think that the Americans are using traps for that purpose, and that they think the gill nets cannot be used.

The WITNESS: Well, Mr. Chairman, I find some difficulty in seeing any very close analogy between conditions in Alaska and in Puget Sound. I think it may be well to point out, in order that there be no misconception, that the reduction in traps there is a straight reduction in the quantity of fishing by any method; that is, that too much fishing has been going on and as a consequence there was no adequate protection so that certain areas through which the fish, passing to the rivers, were going up, are being required to have the traps removed from them. So far as the different methods of fishing are concerned, those familiar with the situation know that drift netting to be successfully carried on needs coloured water. When we get out to clear water where the fish can see the nets in the daytime, they will not strike them, and those who are familiar with the waters along the Pacific coast know the conditions there and know that the water contains a great deal of phosphorus which lights it up, so the gill nets are not practical in certain areas, while they may be in others. In British Columbia we have a number of large river end

[Mr. W. A. Found.]

areas which are suitable for gill netting, and these have been extended out as far as practicable, and we are encouraging that in every instance. To that end we have curtailed purse seining wherever possible. I would like to say that the conditions on the United States side are such that no successful industry could be carried on with gill nets, because as a matter of fact gill netting is being and has been carried on to a very limited extent, while the two other methods have been built up during the past years.

*By Mr. McRae:*

Q. It seems to me that probably this whole matter could be summed up by one statement if Mr. Found concurs; and I observe that had we followed in the Fraser River section of British Columbia the same methods that are in vogue in the state of Washington, our Fraser River sockeye salmon would have been fished out a good many years ago; is that right? Had we employed traps and seines and such things, we could have met this situation long ago.—A. I think that it can safely be said that we have within our power to practically clean up the Fraser River alone. That is, if one method is not adopted, we could adopt others that would.

Q. There is another matter, Mr. Chairman, that I would like to clean up: that is the transfer of spawn from the Fraser River to the Skeena?—A. I did not look it up.

Q. It is not very important. I had noticed from the records that we started to transfer from the Skeena to the Fraser our fishing spawn in 1915, which I presume was immediately after the slide, and continued until 1928 reaching as high as fourteen and one-half million; and what I want to observe is that we were transferring the best fish in the world so far as price is concerned, from the Skeena into the Fraser River and that we get only 30 per cent of the 100 per cent that we put in. I think that is a fair statement?—A. Let me make just one explanation before there is any misconception. I am sorry I did not look it up. It escaped my memory. We have still a good deal to learn about the sockeye salmon. Let me put it this way to be cautious: there is at least room for a good deal of doubt that the salmon that would be hatched from eggs taken from Henderson Lake fish, if transferred to the Stewart Lake Hatchery at the head waters of the Fraser, that the fish that would be produced from these eggs would have the going power to get back to Stewart Lake. So it becomes a question as to whether or not in the up-building of any process of that kind we must depend on the river itself—it must not be a stepping up process. We have, on the other hand, the next biggest river in British Columbia, the Skeena, with its headwaters a few miles away from the waters of the Fraser, so we had a tribe of fish to take eggs from that had shown that capability of getting these long distances. There is that to be considered in connection with your statement. I would be glad to get the full information as to the transfers.

Q. Just one further observation. The sockeye catch from 1915 to 1920, inclusive, averaged 116,000 cases according to the records of the Department. For the period from 1921 to 1924, inclusive, they averaged 104,000 cases, a dropping off of 12,000 cases a year, and since the year 1924, it works out at 80,000, a further drop of 25 per cent. I think the wisdom of transferring fish from the Skeena river to the Fraser river—transferring spawn—is certainly, to say the least, open to serious question, and can hardly be justified on the ground that the Skeena had all the spawn they needed, because the catch has fallen off by about 25 or 30 per cent. Now, Mr. Chairman, I would like to ask Mr. Found if he happens to be able to give the Committee the reason why the treaty of 1920 was rejected by the Senate of the United States; what was the report? Is there any correspondence on the file with respect to that?—A. No.

[Mr. W. A. Found.]

Q. No acknowledgments from the United States Government?—A. No, the fact is that the treaty was referred to the Senate by the President. The members of this Committee have the same avenues of information as I have.

Q. There is no report from the United States Government that the treaty was rejected in the Senate—A. It was not rejected.

Q. It was allowed to go by default?—A. It was not approved.

Q. Does not the correspondence on the file throw any light on that matter?—A. No. You mean as to the reasons?

Q. Yes.—A. No. Mr. Chairman, I would like to modify that statement. I am not sure that there may not have been.

Q. Mr. Chairman, could the files be looked over and be made available to see whether there is anything?—A. It would be diplomatic correspondence.

Q. We have had access to the diplomatic correspondence so far. Possibly that could be made available. Now, coming back, Mr. Chairman, I would like to get all the ground work covered before we go into the treaty. Could Mr. Found give us the number of conferences he had, first with our own people, with the province of British Columbia, and later an outline of the negotiations with the Government at Washington?—A. Mr. Chairman, sometimes I begin to feel that some of the members of this Committee think I am a much more important individual than I am. As a matter of fact, I had what I could not dignify as long negotiations in the matter. Several times when I have been on the Pacific coast I have, in the very nature of things, been meeting those who were really interested in this question, and we have had several conferences in which the whole situation was quite fully discussed between us; but I was not acting as a representative or delegate from the government—I mean I was not acting in any authorized way to deal with that particular subject. I cannot say how often I have discussed the question. Certainly, I have discussed it several times in Vancouver and several times in Seattle, and I have talked it over very frequently with Mr. Babcock, the provincial Commissioner of Fisheries. If there is anything special you wish to ask, I will answer it.

Q. This subject has been brought up since our last meeting. There was an interview given by Hon. Dr. Tolmie on the 23rd which appeared in the Montreal Gazette, and which says, "The Dominion conducted negotiations and conferred several times with the province which fully approved and has recently endorsed the treaty." So that refers to several conferences.

Mr. SHORT: I think it would be good for the Committee to know what these conferences were.

*By Mr. Short:*

Q. How did this treaty originate?—A. I tried to explain that before.

Q. Was it on account of recommendations made by the Commission in 1920 and 1921?—A. No. It was the sum total of all that had gone before. I could say that more correctly than I could say anything more. We have been trying to reach an agreement to rehabilitate, in the interests of both countries, these great fisheries ever since they began to go down, and particularly since the matter became serious. Several previous treaties or attempts did not prove successful. Now, in view of the experience gained in this matter, last year when I was on the Pacific coast I had a conference with the provincial Commissioner of Fisheries on this subject.

*By Mr. McRae:*

Q. Last fall?—A. Yes.

Q. Was there anybody there other than the Assistant Commissioner, Mr. Babcock?—A. No.

[Mr. W. A. Found.]



Q. Have you ever met any of the B.C. Cabinet or members at any of the conferences?—A. Not beyond—not in any combined way.

Q. That matter has been left entirely to Mr. Babcock?—A. Well, the Commissioner of Fisheries.

Q. That is Mr.— —A. Mr. Howe.

*By Mr. McQuarrie:*

Q. You had a conference with him?—A. I had a conference with him last fall, and the view of the provincial government was obtained before the treaty was gone on with.

*By Mr. Short:*

Q. Did not that Committee of 1922 recommend that a commission be appointed?—A. They recommended an arrangement with the State of Washington.

MR. SHORT: Nothing was done with that recommendation until just recently?

THE CHAIRMAN: It had to be confirmed. Anything that might have been done with the state of Washington had to be confirmed by the Washington authorities, Congress and the Senate.

MR. MCQUARRIE: It was nothing like this treaty.

*By Mr. Brady:*

Q. I would like to ask the Deputy Minister this question: With regard to this treaty, did it emanate primarily from the Canadians? In other words, had it its origin on this side, by our urging it upon the States which were more kindly disposed to the treaty than we were? That is the point that I would like to get at. In other words, did we bring this matter from the Canadian side or from the United States?—A. We did. We certainly did; and we were certainly urged very strongly to do it by this Committee.

*By Mr. McRae:*

Q. By whom?—A. By this Committee.

Q. Mr. Chairman, in the files which I have looked over, there is a letter dated December 5th, 1928, which Mr. Found sent to Mr. Skelton in which he refers to the government of British Columbia. He says he received a telegram from the Assistant to the Commissioner of Fisheries which reads as follows—and then he quotes the telegram. In effect, it gives approval by the province of British Columbia. On December 7th, there is a note from Mr. Skelton to the Prime Minister which calls his attention to the importance of this. Now, I do not find in the files either this wire or any other correspondence with the province of British Columbia, and I wonder if those letters are in the file of the Deputy Minister?—A. I do not follow you.

Q. Under date of December 5th you wrote the Under-Secretary of State?—A. I recall that quite well.

Q. That wire is not on the file?—A. That wire was to me. That is on our file. You are looking at the External Affairs file.

Q. Yes. If we had the files of the Deputy Minister, I presume that would give a lot of information with respect to the negotiations between your Department and all those concerned in the treaty; is that right?—A. I should say so.

MR. McRAE: I think, Mr. Chairman, we ought to have those files tabled in the House, or, at least, we should have access to them.

THE CHAIRMAN: You will have to ask for an order.

Mr. McRAE: We did not get the Deputy Minister's file. I think it is important, because before this thing is through there is going to be a great deal of importance put on the approval of the province of British Columbia. What I am particularly anxious to see is how much consideration the province of British Columbia gave to this matter.

Mr. McQUARRIE: And I want to see the same thing with regard to the fishermen and the cannery business.

Mr. McRAE: It seems to me that if those files were made available for us so that we could go into them it would not take long, because we only want to get the essentials.

*By Mr. McRae:*

Q. Mr. Found, they will show the chain of negotiations over a period?—A. They will show all there is to show.

Q. I have in mind the file I looked over. The negotiations up to our meeting here in March, 1927—for eleven months there was nothing on the file, and it then appears that the subject was revived by yourself and carried on. But I take it that we must see the files of your own department to ascertain whether there was anything you did not think sufficiently important to report to Council or to the Under-Secretary?—A. Quite so. When things reach a certain point they are taken up with the Department of External Affairs.

Q. If we had your files they will show the report of the negotiations complete?—A. As far as there was any official correspondence. Of course, the talks that you refer to, and that are mentioned there, were not correspondence.

Q. Did you carry on any negotiations at all with Mr. O'Malley, the Director of Fisheries?—A. No negotiations. We have discussed the matter many, many times, but neither of us was in a position to negotiate.

Q. You did not discuss the draft of the treaty with him?—A. Ah, well, the draft of a treaty. I certainly have discussed that with him many times—what should be in the treaty.

Q. Who drew that treaty, or document? I notice it is submitted by Mr. Johnston, the then Deputy Minister, to the Under-Secretary of External Affairs; but I was interested in knowing who drew it?—A. Well, I submitted the draft myself.

Q. You drew it yourself?—A. Yes.

Q. I do not wish to be uncomplimentary, but I am told by our legal colleagues that it is very amateurish in its drafting.—A. That might very well be, but these cases are always submitted to the Justice Department.

Q. Were there any material changes made in it by the Justice Department?—A. I do not recall such.

Q. Your file would show such?—A. Yes.

Q. And the treaty practically went as it is, to Washington, did it not?—A. Well, you are asking me questions to answer from memory that I cannot very well answer from memory.

Q. The files will disclose that, will they? Is that correct, that the file will show any changes or alterations?—A. The files will show any official correspondence, any correspondence on the subject.

Q. You had a draft at the coast at that conference?—A. I submitted no draft at that conference. I just had a discussion on proposals to be covered by the treaty.

Q. What assistance did you have in considering this matter? Did the Minister take any part in it?—A. The Minister was necessarily consulted.

Q. Did he give any time to the consideration of the thing or did he leave it to you?—A. Undoubtedly, the Minister would give consideration to these matters.

Q. So that this had the Minister's serious consideration as well as your own?—A. No doubt about that.

Q. That is quite reasonable. Then, the draft of this treaty has been sponsored by yourself with the approval of the Minister?—A. The draft is the draft which was approved by the Government.

Q. Was that draft submitted to British Columbia before they approved of it?—A. The Commissioner of Fisheries for British Columbia was informed of what we proposed, what was considered should be covered by the treaty.

Q. But the draft of it was not submitted to him?—A. I am not at all sure that I did not have a copy with me and showed it to him in a personal way.

Q. Perhaps you could look that matter up?—A. That would be in a personal way, as I would not then be in a position to do anything else.

Mr. McQUARRIE: There would be an official communication.

Mr. McRAE: The files will disclose those official communications.

Mr. McQUARRIE: There must have been an official communication between you and Mr. Babcock.

The CHAIRMAN: The only way to get the whole thing is to ask the Minister in the House if he will allow it to come before the Committee. Mr. Found cannot produce it. Now, gentlemen, shall we go on with the treaty?

Mr. McQUARRIE: There should be a recommendation from this Committee.

The CHAIRMAN: I think, perhaps, one of the members had better ask on the floor of the House.

Mr. McQUARRIE: I think a recommendation from this Committee would be a proper thing.

The CHAIRMAN: I do not think that is necessary. Someone can ask the Minister if he will produce the file. I presume he will have no objection.

*By Mr. McRae:*

Q. Have you had any consultation with the state officials at Washington who have had a prominent part in the treaty, Mr. Found?—A. I have discussed the matter of an arrangement on several occasions.

Q. Who were the officials at that time?—A. The State Board at that time consisted of Mr. Simms—

Q. Mr. Freeman?—A. He is not a member of the Board. The name of the Supervisor of Fisheries for the state of Washington—he was, unfortunately, drowned—I forget his name at the moment.

Mr. McRAE: There is one thing, Mr. Chairman, I would like to call to the attention of the Committee, and that is, after the special meeting that he had in 1927, in view of all these conferences in Vancouver with the fishermen and everybody else, I think this Committee had every reason to expect that this draft would have been submitted to us for discussion before it was signed, especially when it was signed on the 28th of March, and this House had been nearly two months in session. I think it is a very unfortunate thing indeed that these questions were not raised before the treaty was signed, because, it is true that every man on the Pacific coast wants a treaty, they are all in favour of a treaty to restore the sockeye salmon in the Fraser River, but they do not want this treaty. I think it is too bad that we could not give our views before this treaty was signed. I mention that again; I mentioned it the other day; and I want to repeat it. I do not wish to burden the Committee with this, but there is a reason for it. An editorial appeared in the Daily Colonist under date of May 21st which I think might well be filed for the information of the Committee, as showing the position of that paper at that time.

[Mr. W. A. Found.]



The CHAIRMAN: What is it?

Mr. NEILL: Does an editorial in a newspaper, however respectably held, represent any views of the Government?

The CHAIRMAN: No, of course not.

Mr. McRAE: Perhaps Mr. McQuarrie will read this editorial; he is a good reader.

Mr. McQUARRIE: It is dated May 21st, 1929, and is an editorial appearing in The Daily Colonist as follows:—

#### Fisheries and Power

A Sockeye Salmon Treaty, for the conservation of this species is about to be approved between Canada and the United States. It provides for power to suspend commercial fishing by Canadian and American fishermen for a certain term in each year. The object is the conservation of the Fraser River sockeye salmon, with the goal in view of restoring this most important natural resource to its maximum possible yearly crop and packs such as maintained prior to 1913. The treaty is also devised to insure development and maintenance of this fishery industry on a reliable and permanent basis. Fishery experts believe that the loss experienced since 1913 has become so serious that if unrestricted fishing is allowed to continue the sockeye salmon as a commercial species will be wiped out in the immediate future.

The protection of the Fraser River breeding waters, spawning grounds and the seeding of same is a matter for which the British Columbia Government is responsible. The whole drainage area of the Fraser River basin, the main river and all its tributaries lie within this province. In other words, the United States has no concern with these all-important matters and responsibilities. Despite this it is doubtful if British Columbia fishermen, and the industry generally in this province gets more than 35 to 40 per cent of the pack, while fishermen and cannerymen on the American side secure the balance. The Americans thus get the lion's share, although having no responsibility or expense in connection with the lands or waters of the Fraser River. Up to the time of the framing of the present treaty the cannerymen of the American side steadily refused to co-operate with Canada, although repeatedly requested to suspend commercial fishing in order to restore the pack to its maximum.

The fishing treaty now being considered will eventually help the Americans more than it will the fishermen and cannerymen on this side of the line. What should be recollected is that the people of British Columbia will expect that their rights in every respect will be protected. In other words, the whole water interests of the Fraser River, and all dependent interests in them must be reserved for the people of this province. The Provincial Government should see to it that the treaty is drawn in such a fashion that it will reserve a free hand regarding any interference with the flow of river water, in order to store or conserve the flood waters for irrigation or power development. There should be no question of any negotiation with the United States, and yet that is a danger which resides in the new treaty now being considered.

The treaty calls for united action and co-operation in conserving a branch of the fishing industry on the part of the two nations. It should not be possible for it to be interpreted, at some time in the future, as liable in any way to interfere with what may be proposed for power or irrigation development in this province. British Columbia should, most

undoubtedly, retain for herself and her people her rights for all time to the free use of all the Fraser River drainage basin, its waterways, streams and lakes, their beds, banks and foreshores, in whatever way may be found desirable in the future. It would clearly seem to be the duty of Mr. S. L. Howe, the Commissioner of Fisheries, to watch British Columbia's interests closely in the wording of the treaty so that no situation will arise respecting the Fraser River in the future such as has arisen regarding the development of the St. Lawrence.

The CHAIRMAN: That is fatherly advice that The Colonist is giving. It has no bearing. Here is a letter signed April 13, 1929, at Government House, Victoria, British Columbia. This is addressed to the Under-Secretary of State, Ottawa, Canada and reads as follows:—

SIR,—I have the honour to enclose, herewith, certified copy of Order in Council No. 478, which my Government has requested me to convey to the Government of Canada relative to the Fraser River Salmon Treaty.

I have the honour to be,

Sir,

Your obedient servant,

(Sgd.) R. RANDOLPH BRUCE,  
*Lieutenant-Governor.*

Then follows: —

P. WALKER,

Deputy Clerk, Executive Council.

Certified copy of a Minute of the Honourable the Executive Council, approved by His Honour the Lieutenant-Governor on the 4th day of April, A.D. 1929.

478

To His Honour,

The Lieutenant-Governor in Council.

The undersigned has the honour to recommend that His Honour the Lieutenant-Governor be requested to convey to the Government of Canada, through the Secretary of State, the strong sense of satisfaction and gratification felt by the Government of this Province upon learning of the conclusion in Washington of the Fraser River Salmon Treaty. Dated this 3rd day of April, A.D. 1929.

S. L. HOWE,  
*Provincial Secretary.*

Approved this 3rd day of April, A.D. 1929.

R. W. BRUHN,  
*Presiding Member of the Executive Council.*

I asked Mr. Found if, before they signed that on the part of the Government, they had seen a copy of the treaty, and he said they had, and they knew what was in that treaty.

The WITNESS: The treaty was dated the 27th of April.

[Mr. W. A. Found.]

The CHAIRMAN: 27th of March.

The WITNESS: 27th of March.

The CHAIRMAN: The order was on the fourth of April.

Mr. NEILL: I think it would be appropriate to put in this statement. Perhaps Mr. Found can say whether it is correct. It is not an editorial. It reads as follows:—

In a statement issued to-day, Premier S. F. Tolmie said:—

According to our views and legal advice there is no provision in the treaty which either impliedly or directly contains any interference either territorially or in administrative sense with or surrender of Canadian rights. The province was at all times completely represented and fully informed during the negotiations leading to the signing of the treaty.

The Dominion conducted the negotiations but conferred at all times with the province which fully approved and has repeatedly endorsed the treaty.

I would ask Mr. Found if that is correct, because I found it in a paper called The Mail and Empire of Toronto, of the 24th of May. Has Mr. Found any knowledge of it?

The WITNESS: It is part of a despatch which I saw in a Montreal paper. I could not say more than that. I had also a telegram from the Assistant to the Commissioner of Fisheries for British Columbia saying that such an interview had been given.

Mr. NEILL: That such an interview had been given?

The WITNESS: Yes; or rather, that such a statement had been made.

Mr. McRAE: I think when we get your files everything concerning this whole transaction will be of record.

The CHAIRMAN: Do you wish to go on?

Mr. McRAE: Go on with the treaty.

The CHAIRMAN: (Reading):—

#### Article I

The provisions of this Convention and the regulations issued pursuant thereto shall apply to the Fraser River and the streams and lakes tributary thereto and to all waters frequented by sockeye salmon included within the following boundaries:

Mr. BRADY: Read the preamble.

The CHAIRMAN: (Reading):—

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the President of the United States of America, recognizing that the protection, preservation and extension of the sockeye salmon fisheries in the Fraser River system are of common concern to the Dominion of Canada and the United States of America; that the supply of this fish in recent years has been gravely depleted and that it is of the utmost importance in the mutual interest of both countries that this source of wealth should be restored and maintained, have resolved to conclude a convention and to that end have named as their respective plenipotentiaries:

Mr. McRAE: There is one thing that might be left out. I would not say "common concern" but "concern" because I think the "concern" is much greater to the Fraser River within our territory that it could possibly be to the United States.

[Mr. W. A. Found.]



The CHAIRMAN: I do not know whether we can change it.

Mr. McRAE: I do not think so, but I think it is unfortunate.

Mr. McQUARRIE: There are one or two things we will have to change in this treaty.

The CHAIRMAN: We can recommend, but we cannot change a part of the treaty.

Mr. McQUARRIE: I do not think we can let a treaty like this go through. We will not be able to leave this treaty the way it is now.

The CHAIRMAN: They may amend it later, but we cannot change the treaty itself.

*By Mr. McQuarrie:*

Q. How does this description in article 1 check up with the description in the previous treaty of 1920?—A. It is the same description until you get to Point Gray.

Q. I think the southern boundary is the same?—A. I do not think there is a word of difference. I have the other here, and you can compare them word for word.

Q. Will you explain to the Committee if there is any difference, and if so, what it is?—A. Not in the southern end of it.

*By Mr. Neill:*

Q. Where did the first line strike Vancouver Island?—A. Boat harbour, just below Nanaimo.

*By Mr. McQuarrie:*

Q. So the southern boundary is the same, but to the north more area is used?—A. Yes.

*By Mr. McRae:*

Q. The treaty carries along on the shore line. The southern boundary of these treaty waters is very well marked out, but after it strikes the mainland it follows very much in detail the shore line except in one place where it makes an exception following the Great Northern tracks cutting across a slough.—A. You have to cut across that, because it makes an island.

Q. Then you pass through two or three streams, and I take it that these rivers do not come within the scope of the treaty waters to the south, because all these streams are eliminated?—A. Yes.

Q. Then one question arises upon which you can satisfy the Committee, and that is that the second boundary is far enough to include all the sockeye running to the Fraser river?—A. Yes.

Q. Now with regard to the balance to the south; is it possible that any sockeye, or any fish destined for the Oregon hatcheries farther up the Sound, will come under the same fishing regulations, and will there be any similar regulations on the Sound itself? Is there any opportunity for conflict between the fishing regulations as put in effect for Sound fishing at other points than on the Fraser river?—A. I do not see any room for conflict to the extent that any fishing that is carried on in the treaty waters before the first of June is liable to have the mesh of the nets regulated.

*By Mr. Neill:*

Q. Are there any sockeye spawning grounds tributary to Puget Sound not included?—A. None.

*By Mr. McRae:*

Q. I wish to take strong objection to the change in the northern boundary. The treaty of 1920 could not be objected to, but I am at a loss to understand why in this treaty you go farther north up to Lasqueti island.—A. That seems a fair proposition, and I think there is a fair answer to it. The answer is this: that any sockeye which are there will be going to the Fraser river. We know there is going to the Fraser river a late run of fish that is not of a desirable type; whether they are these fish or not we do not know. If they are it may be in the interests of both countries not to develop that run. If any question arises there, I would say that these fish come down through some narrow passages north of that area and they are entirely within the purview of our own regulations, so that keeping in view the fact that we are dealing with the Fraser river, we are trying to make it of the most value to us all, and it was considered best that the treaty should be extended to where the gill net fishing is stretching out.

Q. That limits it in the south to the boundaries of the Fraser river run?—A. Yes.

Q. Why should we go farther north than that run? Why should we go a hundred miles north and seriously interfere with a very large number of fishermen who are depending for their livelihood upon 100 per cent Canadian fish around Lasqueti island? Why deprive our fishermen of that area and put them under the direction of the International Commission?—A. They have the whole range of these fisheries from the north end of Vancouver island down. I do not want to be understood as saying that any fish coming from that area are coming from the north. I do not know; I do not think anybody knows. It is a matter of conjecture whether or not there is a considerable spreading around.

Q. The old idea was all right, but as a matter of policy putting Burrard island in there is absurd, and when you come to extending the northern limits into the sockeye fishing territory of the constituencies of myself and Mr. Neill, you have gone a long way out of your way to divide the market with the American fishermen for fish that are 100 per cent Canadian.—A. I say that there is an undesirable late run. Whether they come from the north or not is yet to be determined. There is a strong suggestion that they do.

*By Mr. MacLaren:*

Q. What do you mean by "undesirable run"?—A. A fair quality of fish.

*By Mr. Brady:*

Q. That is the late run?—A. Yes; they are soft, lacking in oil and in the markets are not keeping up the good name of the Fraser river sockeye.

*By Mr. Short:*

Q. Is that class of fish caught up in the northern waters?—A. The fish which are caught in the northern waters are far and away in the best condition.

*By Mr. Macdonald (Richmond-West Cape Breton):*

Q. Does that catch of what you call undesirable fish enter into these calculations of the 50-50 division?—A. It certainly does.

Q. Is that not a little unfair?—A. I think it is a very strong argument for having this area included in the treaty, so that the fishing may be regulated by the Commission.

*By Mr. Neill:*

Q. It seems to me that there is a good deal in what the General says. If they are going to fish in the Lasqueti island territory why should they not know if they come from the north? There is some evidence there that will be caught

higher up. Is there any record of sockeye being caught further north—not so far north as to be remote?—A. There is a considerable catch of sockeye around Deep Water Bay.

Q. Do you suggest that the fish coming through Deep Water Bay are going into the Fraser, or headed for the Fraser?—A. There is no question but that the sockeye coming through by Deep Water Bay are going to the Fraser. A number were tagged at Deep Water Bay, practically all of which were caught in the Fraser.

Q. Then why not catch them around Lasqueti Island?—A. They may be.

Q. No, the treaty line is drawn south of Lasqueti Island.—A. The reason is that this treaty contemplates giving proper control to a commission appointed over the sockeye fisheries on the Fraser River, so that it can develop those fisheries to the best interests of everybody. The catch there is not large; there are not many fishermen drifting across there. The whole line of fishing is above, and if we allow certain kinds of fishing up in the northern areas, not many will come down.

*By Mr. Short:*

Q. What was the idea of extending that line? Was it on the suggestion of the American commissioners?—A. Later on, on going into the matter, it was found that the fishermen were, to a certain extent, drifting out over that area, a distance of 89 miles.

*By Mr. McRae:*

Q. Do you think that in practice the Commission will not be dealing with two regulations under this treaty, one for Canadian waters and one for American waters?—A. If that run does depend on the Fraser River for its replenishment then it is in the interests of those fishermen that that replenishment should be properly safeguarded. The extent to which those fisheries can be fished will depend on the extent to which they are reproduced.

Q. I am not disputing that, but I do not wish an international commission which has no interest in the northern run to replenish the river practically 100 per cent at the expense of this country. I contend that the Americans have no interest in that at all.—A. They have not. There is not an American fish there. The fish which are caught do enter into that 50-50 basis. The 50-50 per cent of the division is embraced in that fisheries now. The fish which you are getting are fish which embrace that division in that area.

Q. And when we come to make a treaty why do we deprive Canada from catching her own fish which are not in waters tributary to American waters at all?

*By Mr. Ladner:*

Q. Will you say exactly what this 50-50 means? Does it mean that regulations will be established so that on the American side they will catch 50 per cent, and 50 per cent on the Canadian side, or whether there will be a distribution of 100 per cent on the basis of 50-50?—A. The treaty is very clear. It provides:—

Inasmuch as the purpose of this Convention is to establish for the High Contracting Parties, by their joint effort and expense, a fishery that is now largely non-existent, each of the High Contracting Parties should share equally in the fishery. The Commission shall, consequently, in regulating the fishery do so with the object of enabling, as nearly as they can, an equal portion of the fish that is allowed to be caught each year to be taken by the fishermen of each High Contracting Party.



Q. Suppose it turns out that the United States actually catches, under that interpretation, 75 per cent? Is there any way of adjusting that distribution so that each will be allowed an equal proportion?—A. It will be clearly the work of the Commission to see that that situation is allowed to develop, and there will be no difficulty in doing that. When you are dealing with implements like traps and seines on the American side, you can make arrangements having regard for the catch. All you have to do is to establish the area on each side.

Q. Once the State of Washington which controls the licensing has issued the license do you say that under this treaty the Joint Commission has authority to close them down?—A. Absolutely; no question about that.

Q. In order to make a 50-50 catch on each side?—A. No doubt about it.

Q. Under your interpretation this treaty does not provide for the distribution of 50-50 on the total catch?—A. No, that is not practicable.

MR. BRADY: We are at article 1, and I think we had better finish it. I naturally am indirectly concerned in the treaty, as a member of this Committee. I tried to find out as much as possible regarding it, and any questions I put forward are asked with the motive of getting light upon this subject. I would like to draw your attention to the waters as I think undoubtedly adequate consideration has not been given to their allocation. I went to some trouble and found out that from a point on the line adjoining Carmanah Lighthouse down to Cape Flattery and following along these international waters to Point Roberts is a distance of 130 miles. That is one portion of the treaty waters; that is one area and we get practically a division there of 50-50.

THE WITNESS: What do you mean by international waters?

MR. BRADY: We have waters on the Canadian side on one side and the United States boundary on the other, so they are national in that sense.

THE WITNESS: Yes, but not international.

MR. BRADY: No, but practically half and half. When we go from Point Roberts we find there is a portion of waters included in these treaty waters extending up to Lasqueti Island a distance of 60 miles—another 60 miles of water purely Canadian. We have a short portion of water starting with Fidalgo, or, I think it was Reservation Bay, extending down to Puget Sound about 75 miles or 100 miles. Now, in other words, between Carmanah and Flattery we find, you might say, three distinct portions of water, two of which are within the treaty, and one is a side issue, namely, Puget Sound. Now, sir, I find that all the Canadian waters are tied up by this treaty, and that a great portion of Puget Sound is outside the treaty. Now, the Deputy Minister said the other day that the reason it was not included was because the sockeye was not running down there. That was the reason alleged. What I contend, Mr. Chairman, is that there should be an equitable agreement in respect to these waters, whether the fish go down into Puget Sound, or do not. If these 60 miles of purely Canadian waters are included in the treaty, there should be at least another sixty miles of Puget Sound included in the treaty—whether the fish are there or not. I do consider that we should have an equitable agreement, or division, in these waters, Mr. Chairman. It is said that the fish do not go down there; but as the Deputy Minister has said repeatedly to-day there is nothing concrete or established regarding the movements of these fish, and, therefore, I say—

THE CHAIRMAN: Is not your argument that the Americans would fish for sockeye in Puget Sound in spite of the treaty?

MR. BRADY: They would be at perfect liberty, because it is outside treaty waters.

MR. SHORT: Do they catch any salmon in Puget Sound?

[Mr. W. A. Found.]

Mr. BRADY: I believe that they do. Another thing that struck me was this: instead of having all-Canadian waters then tied up to Lasqueti Island why not say all the waters within the line drawn from Carmanah to Flattery, and including those under should be treaty waters? I think that would be an equitable arrangement. If you are going to take 60 miles of Canadian waters, whether the fish are in Puget Sound or not, Puget Sound should be included in the treaty waters. Take 60 miles down—you take 60 miles up north—

The CHAIRMAN: The difference is, I understand, that there are fish up north and none in Puget Sound?

Mr. BRADY: That is what they say; but I am not sure of that. I am looking at that from this viewpoint, that I feel that that would be a good thing to do.

*By Mr. Short:*

Q. Do you know whether the Americans do any fishing in Puget Sound? —A. Not sockeye. Let me ask one question to try to get some of our comparisons square. If we are going to look at it from the standpoint of so many miles of water, of Canadian water and so many miles of the other, then, should we not follow that reasoning a little bit further and see how much fishing value is in the waters of either side? Now, if we are going to define it from that narrow standpoint we will get nowhere with the protection of the run of fish, for, as a matter of fact, 70 per cent of the fish taken in this whole system are caught in the portion of the United States waters that are covered by the treaty, and what the treaty is seeking to do is not a matter of determining waters, but of reestablishing the fisheries in these waters.

Mr. BRADY: The treaty line goes to the west of Fidalgo Island. Now, why is it that this part of these waters was left out?

The WITNESS: Because, as I said before, Mr. Chairman, the area is that area through which the sockeye pass. This treaty is restricted to dealing only with one particular species of fish. There are six species of salmon frequenting these waters. This treaty deals only with the one—the most important one in past years; and only during a certain period of the year when that fishery is the main fishery. What would be the use of us doing things that will not affect the situation as far as the rebuilding of that fishery is concerned?

Mr. BRADY: We are likewise interested in other kinds of salmon.

The WITNESS: Not so far as these treaty waters are concerned.

Mr. McQUARRIE: Following up Mr. Brady's statement, I think he is perfectly right. I want to know what authority you have, Mr. Found, for saying that the line which is marked on the map which is on the wall—I do not know what we call that map—

The CHAIRMAN: The map of British Columbia.

Mr. McQUARRIE: It is General McRae's map—a map produced by General McRae. The blue line on that does mark out the area into which the Fraser sockeye go. Now, what authority have you got for that? I suggest this to Mr. Found: As a matter of fact, the Fraser River water permeates Puget Sound.

The CHAIRMAN: The fish do not.

Mr. McQUARRIE: I tell him that the information which I have received over a period of some forty years, from fishermen and others, is that the Fraser River sockeye do go down into Puget Sound, because the Fraser River water is there. These fish are always looking for the Fraser River, and they will go into waters where they find Fraser River water. As far as I can see

it, there is nothing to prevent them. You draw a line on the sea or across the mouths of indentations, and across the mouth of Puget Sound, and you say that the fish stay outside and do not come in. That does not seem to be reasonable at all, as far as I can see. I would like to know, Mr. Found, what authority you have for making the statement which you have made, and, further than that, what investigations have you made, and what investigations have been made by anyone on behalf of Canada to fix the area within which the sockeye is confined?

The WITNESS: So far as that area is concerned—marked in blue on that map—let me point out this so that there may be no misconception, that when you come to British Columbia that blue line encloses all the land, all the area of British Columbia that is within the Fraser River watershed.

*By Mr. McQuarrie:*

Q. How many square miles, Mr. Found?—A. It is stated in an article that I saw, and I will not contradict it, to be one hundred thousand square miles.

*By Mr. McRae:*

Q. Between 90,000 and 100,000?—A. The waters that are covered—and those are the only things that are covered by the treaty—are less than two thousand.

Q. Could you give the approximate amount of Canadian water and the approximate amount of American water that is included in the two thousand miles within the treaty?—A. Yes, the approximate amount of the Canadian tidal waters is 2,067 square miles, and the United States tidal waters are 1,602 square miles.

*By Mr. Neill:*

Q. That is 1,602 square miles of tidal waters—United States waters?—A. 1,602 square miles of United States waters and 2,067 square miles of Canadian waters. The Fraser River and lakes comprise approximately 1,730 square miles; that is the waters of the Fraser River Watershed.

*By Mr. Brady:*

Q. 1,730 square miles?—A. About 1,730 square miles. That is my information after having an engineer check it up. That is included in that big area in blue.

*By Mr. McQuarrie:*

Q. It is included in that area of 100,000 square miles, you say?—A. It is approximate. It is not far wrong. It may not be entirely correct—1,730 square miles.

*By Mr. McRae:*

Q. That is fresh water?—A. Yes, that is fresh water.

Q. In Canada there are 1,730 square miles of fresh water included. How much fresh water in the United States?—A. I would say none.

Q. None? Yes, that is right?—A. I come back to the other point, that Canada, of course, has not made any direct investigation in the United States any more than the United States has made any direct investigation in Canada as to where the fish go. Our information is, however—

*By Mr. McQuarrie:*

Q. You have not got any. You take the information given to you by the United States?—A. And they take ours.

[Mr. W. A. Found.]



Q. As far as we are concerned, we take the information that is given by the United States?—A. And which we can also check up with the packs of the United States.

Q. What you have done up to date is to take the word of the United States as being correct?—A. Quite right; and they take our word as being correct.

Q. Now, what have you got from them?—A. That is our information—that that area covers the area through which the sockeye pass.

Q. You got that from the United States. In what form have you got it from the United States?—A. It is in various forms.

Q. Have you got anything in writing from them, from the United States—anything at all from them that can be produced?—A. I have no doubt that a great deal of information can be produced to show that. It is of common consent. General McRae stated this morning that in his opinion it was correct. I do not think that anybody has stated that it was incorrect.

Q. The General does not know anything about it. I am not willing to admit that he could give evidence on it.

Mr. McRAE: Generally, I think that is right.

Mr. McQUARRIE: General McRae would not be accepted as a witness on that point.

The CHAIRMAN: Is it material? Is the whole thing material?

Mr. McQUARRIE: Certainly it is.

The CHAIRMAN: Why?

Mr. McQUARRIE: It is one of the most important points in the treaty, for this reason, as I say, Mr. Chairman, if you fix a southern area for this territory which is to come within the treaty, and if the line of that area is north of where the sockeye actually go, then the Americans will be able to catch any sockeyes they like in the area south of the line. Now, if it is a fact that the sockeye do go down into Puget Sound—if that is a fact—then, of course, Puget Sound is not in that area at all.

The CHAIRMAN: Mr. McQuarrie—

Mr. McQUARRIE: I am asking this question. It is a fair question. I have so far got from Mr. Found that he has no information except what has been given to him by the Americans as to where the line should be, and I have asked him what investigations he has made. I have asked him what we have from the Americans and what he could produce from the Americans to show that the information that they have given is correct, and he has said that no doubt he can produce a lot of information, documents and so forth. Now, I was trying to get Mr. Found to answer the question.

The WITNESS: Now, let me answer it fairly, because, after all, I take it that we want to get at the pith of it. What is the treaty seeking to do? In the first place it is seeking to restore a fishery. Suppose it is a fact that a few salmon stray hither and yon, if you are going to follow all these technicalities then the other side could say that they will control the fisheries right from the north end of Vancouver Island down. The fact is that there is a considerable run coming down there.

Mr. McRAE: I do not agree with that at all.

The WITNESS: I do not either. I am taking the analogy for the moment. This treaty sets out to do a job, and we know that the area covered by the treaty is the area which is directly concerned with the fisheries, the upbuilding of which we are seeking to bring about. Now, I cannot say more.

[Mr. W. A. Found.]

*By Mr. Short:*

Q. Why did you change the boundaries north from the 1920 treaty this time, and not change any boundaries down in the south?—A. Because it was no doubt shown that the fishing for the Fraser River fishermen did extend out beyond the boundaries of the previous treaty.

Q. You cannot say that there were no sockeye salmon in the Puget Sound?—A. Quite so.

*By Mr. McRae:*

Q. Is there anything on record to show that that was the contention of our American friends in this treaty, or is it just your own viewpoint?—A. No, it was not my own viewpoint. It was a matter that came out of either discussions or correspondence. I really cannot tell you off hand.

MR. McRAE: There is one thing, Mr. Chairman, that I think would clear this matter up a bit. Mr. Found referred to there being 1730 square miles of fresh water, approximately. Of this, so far as Canada is concerned, none of it is in the United States—no fresh water whatever. Now, I would like to know from Mr. Found, as a matter of record, the approximate area which that covers. Looking at the map on the wall, I would say, roughly, it is an area of 250 miles wide by 400 miles north and south—250 miles east and west by 400 miles north and south. That is the watershed of the Fraser River approximately, and I take it that this 1,730 square miles of fresh water, lakes and rivers, is the measurement of all the rivers and lakes in that area; is that right?

THE WITNESS: That is my information.

*By Mr. McRae:*

Q. So that we have a penetration of roughly four hundred miles into our country so far as the province of British Columbia is concerned, and no penetration into the state of Washington as far as that state is concerned?—A. Not fresh waters; but we have all the United States other waters.

Q. Treaty waters you are speaking of. I am referring to fresh waters.—A. I am speaking of the territorial waters of the United States.

Q. Treaty waters?—A. Territorial waters.

Q. I would like to ask if there is any other treaty affecting those treaty water in existence?—A. Affecting them? In what way?

Q. Dealing with them in any way?—A. I cannot answer that positively. My impression would be that the boundaries commission treaty would cover it to some extent.

Q. I want to ask another question before we get away from this point. Who first suggested including the Fraser River? It was not included in the 1920 treaty?—A. Yes, it was.

Q. Not in this way?—A. Yes, it was.

Q. Did the Commission deal with it?—A. It is the winding up of the article. Article 3 of the Treaty, after quoting the treaty of 1918, says: "also the Fraser River and its tributaries."

Q. I am speaking of 1920?—A. I am speaking of the 1920 treaty.

*By Mr. McQuarrie:*

Q. I know what the General is getting at. They had no right to go into our territory.—A. Our territory is both tidal and non-tidal, but so is their's.

Q. You say that under this 1920 treaty the Americans had the right to go in and build hatcheries?—A. The Americans have no right to build hatcheries now.

Q. Under the 1920 treaty could they come in to British Columbia and build hatcheries?—A. It was a different proposition altogether.

Q. Of course it was.—A. You are speaking of the regulations of the fisheries internationally.

Q. That is what the General is trying to get at.—A. I am answering the question as I understand it.

Q. I am asking you who suggested this new arrangement?

*By Mr. McRae:*

Q. Yes. Who suggested the new arrangement regarding the Fraser River; it is a new arrangement, of course?—A. I can only say this that in the light of some twenty odd years' experience of trying to find a means, this means suggested itself as being the only one that was likely to bring about the end in view.

Q. So you assume responsibility for it yourself?—A. I am not assuming responsibility for it myself excepting so far as I am concerned; and the treaty speaks for itself as far as that is concerned.

*By Mr. McQuarrie:*

Q. Did you come to the conclusion that Canada was not capable of building hatcheries, and spawning grounds, and all that kind of thing; and looking after the spawning grounds?—A. Mr. Chairman, is a question of that kind fair? What does it involve? Of course we are capable of building hatcheries. We have built a great number, and we are operating a great number. It is not a question of that. It is a question of the two countries that are concerned sharing the expense in doing certain things that are essential—to build up a run of fish that are common to the two peoples. Now, the whole spawning area is on our side. That is an incident in our waters. The bulk of the fishery is in their waters.

Q. There is no doubt about that. You need not elaborate on that.—A. But, Mr. Chairman, I stress that point.

Q. You are getting away from the question altogether. According to Article 3, "The Commission shall conduct salmon fish cultural operations" in the area described in Article 1?—A. Yes.

Q. Now, to that end it "shall have power to improve spawning grounds?"—A. Yes.

Q. "Acquire, construct and maintain hatcheries, ponds, and other such facilities as may be determined to be necessary for the propagation of sockeye salmon" in the waters covered?—A. Quite so.

The CHAIRMAN: The United States will have to bear half the cost.

Mr. McQUARRIE: Never mind the cost feature. I am not dealing with the cost feature at all; I am dealing with this feature.

The CHAIRMAN: That is the important thing.

Mr. McQUARRIE: That is another thing altogether.

*By Mr. McQuarrie:*

Q. As a matter of fact, all these operations were formerly carried on by Canada; is that right?—A. That is quite right.

Q. My question was this: did you come to the conclusion that Canada was incompetent to carry on those operations? You took exception to that and said it was an unfair question, but I submit it is not. Before you attempt to answer, just let me ask you to try, if possible, to forget anything about costs, just for the present. But, as to carrying out these operations, would you not say that Canada is quite capable of constructing and maintaining hatcheries, rearing ponds, and other facilities necessary for the conservation and propagation of fish in Canada; that Canada is quite able to look after all that part



herself, outside altogether of the question of costs?—A. Obviously, Canada is so able, but obviously, Canada is not able to prevent the United States from reaping 70 per cent and more of the results of it. Therefore, without getting into technicalities, to come down to practicalities, in seeking to do something—if we are going to do this job at all—those who are both parties to it must do it together or it cannot be effected.

Q. Now, let me ask this question then: did the United States insist on this arrangement, this new arrangement that I am talking about?—A. I can only say that the United States agreed to it.

Q. That is not my question at all.

The CHAIRMAN: I do not see that it matters. We are getting the advantage.

Mr. McQUARRIE: This is the important feature. It seems to me to be the most important feature in this whole business—the whole transaction. I am asking who proposed that the United States should take a part in the construction and maintenance of our hatcheries and other facilities for the propagation of salmon in Canada? Who proposed that?

The WITNESS: I think the only answer I can give, Mr. Chairman, is that as a result of the development of negotiations this method was conceded—agreed to be the best one.

*By Mr. McQuarrie:*

Q. That is not good enough. It is a new departure, an entirely new departure. It has never been in any of the treaties or draft treaties that we have had before?—A. Quite so; it is a new departure.

Q. And my question, I submit, is fair. Who proposed it? Somebody must have proposed it. I asked you, in the first place, if you proposed it?

The CHAIRMAN: I think he answered that question. He said that it was a mutual understanding between the two parties interested. That is a fair answer.

Mr. McQUARRIE: No, it is not a fair answer at all.

The CHAIRMAN: Oh, yes, it is a fair answer.

Mr. McQUARRIE: We have to start some place.

The CHAIRMAN: And when we have an alarming proposition like this put up, something entirely new, surely it must have been proposed by the United States or by Canada?

The CHAIRMAN: I do not see what objection there is to it if the United States is willing to pay half the cost.

*By Mr. McRae:*

Q. I have something to say on that. There is one thing that I would like to ask before we adjourn. I would like to clear up the title to the Fraser River waters; that is as to whether all the land are lands of the province of British Columbia or not. I can answer it. It is the property of British Columbia except the railway belt.—A. That is my understanding.

Mr. NEILL: What is that?

Mr. McRAE: The ownership of all that land in the watershed is under the direction of the province itself, except the railway belt.

Mr. PETTIT: I am not a member of the Committee, but as a member of the House, may I ask a question for information? Could it not have been very easily provided in Article 3, somewhere in the treaty, that Canada would obligate itself to do these things with regard to spawning grounds, hatcheries, and

[Mr. W. A. Found.]

so on—but that the United States should stand one-half of the cost, rather than give the United States officials power to do it. In that way we would eliminate the very objectionable feature, namely, that representatives of the United States should have control over Canadian territory to some extent.

The WITNESS: There is just this one word, Mr. Chairman, that I would like to leave in the Committee's mind in considering this matter, and that is that the crux of this treaty is to rehabilitate this fishery. To do that, a Commission, consisting of members from each side is to be appointed to study the fishery. Now, if such a course as that suggested by Mr. Pettit is taken, it would, I suppose, imply that the study would be all made by the one side and they would determine what they would do. Here we are trying to get at it in a bona fide way and to have both sides joined together with the best experts in studying the actual history of the fish and acting in the light of that study.

The CHAIRMAN: There would be no control of territory?

The WITNESS: No.

Mr. McRAE: Who will own the hatcheries at the end of eighteen years?

The WITNESS: Canada.

The witness retired.

The Committee adjourned until Tuesday, May 28th, 1929, at 4 p.m.





















Can. Doc.  
Can.  
Com.  
M

Canada - Marine and Fisheries  
Select Standing Committee on

Can. Doc. 19  
- 1912

SESSION 1929

HOUSE OF COMMONS

SELECT STANDING COMMITTEE

ON



# Marine and Fisheries

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 4—TUESDAY, MAY 28, 1929

WEDNESDAY, MAY 29, 1929

WITNESS:

Mr. W. A. Found, Deputy Minister of Fisheries.

OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1929



## MINUTES OF PROCEEDINGS

COMMITTEE ROOM 425,

HOUSE OF COMMONS,

TUESDAY, May 28, 1929.

### AFTERNOON SITTING

The Committee met at 4 p.m., Mr. Duff, the Chairman, presiding, and the following members of the Committee present:—

Messieurs. Bissett, Blanchard, Bourgeois, Brady, Dickie, Dionne, Duff, Grimmer, Macdonald (Cape Breton South), Macdonald (Kings), Macdonald (Richmond-West Cape Breton), MacLaren, MacLean (Prince), McQuarrie, McRae, Morrissy, Neill and Short—18.

The Treaty Convention with the United States was again taken up, Mr. Found, Deputy Minister of Fisheries, being present as a witness. Mr. Found recalled.

Article I considered and passed over.

Article II considered.

Remarks by Mr. McRae, and general discussion.

Mr. Neill made suggestions regarding the personnel of the Commission to be appointed to represent Canada.

Article II passed over.

Article III taken up. General discussion.

Mr. Neill read an article from the Daily Province in reference to the Treaty.

Mr. McRae read an article from the Victoria Colonist.

Mr. Brady also read an article, all of the above being recorded in the evidence of this date.

It being one o'clock the Committee adjourned to meet again at 8 o'clock, evening.

### EVENING SITTING

The Committee opened proceedings at 8 o'clock, Mr. Duff, presiding.

The following members of the Committee present: Messieurs. Bancroft, Beaubien, Bissett, Blanchard, Bourgeois, Delisle, Dickie, Dionne, Duff, King (Kootenay East), MacDonald (Cape Breton South), Macdonald (Richmond-West Cape Breton), MacLaren, MacLean (Prince), McPherson, McQuarrie, McRae, Morrissy, Neill, Pouliot and Ward.—21.

Mr. Found again in attendance.



Some discussion as to what should be taken down as evidence. Letter addressed to Committee clerks from the Chief Reporter, instructing as to the decision of the Board of Internal Economy with reference to the taking of evidence in Committees.

The Treaty again taken up at Article III; further considered.

Remarks by Mr. McRae, Mr. Dickie, Mr. Neill, Mr. McQuarrie, Mr. Brady, Mr. MacLaren, Mr. MacLean (Prince), Mr. Macdonald (Cape Breton South), and others during the course of the discussion on Articles III, IV, V, VII, VIII, and IX.

Having discussed all the articles of the Treaty the Chairman asked if the Committee desired to submit to the House the Report of the Committee. Some of the members wished to have another short meeting before presenting the Report. By general consent the Committee agreed to meet again on Wednesday at 12 o'clock noon.

The Committee adjourned.

E. L. MORRIS,  
*Clerk of the Committee.*

---

COMMITTEE ROOM 425,

HOUSE OF COMMONS,

WEDNESDAY, May 29, 1929.

The Committee met at 12 o'clock noon this day, Mr. Duff, the Chairman, presiding, and the following members of the Committee present:—

Messieurs. Bancroft, Beaubien, Bissett, Blanchard, Bourgeois, Brady, Dickie, Dionne, Duff, Grimmer, King (Kootenay East), MacDonald (Cape Breton South), Macdonald (Kings), Macdonald (Richmond-West Cape Breton), MacLaren, MacLean (Prince), McPherson, McQuarrie, McRae, Morrissy, Neill, Short, Smith (Stormont), and Ward.—24.

The Chairman stated that this meeting had been called to give a short final consideration to the Treaty before submitting the Report to the House.

After a short discussion, Mr. Beaubien moved, seconded by Mr. Morrissy, That this Committee present a Report to the House recommending that the Treaty in its present form be approved.

As this view was not unanimous a registered division of the members of the Committee present was called for.

A division was taken with the result of a tie, 10 to 10.

The Chairman gave the casting vote, and the motion was declared carried.

Report to be made to the House.

The Committee adjourned to meet again on Thursday, at 11.30 a.m., May 30.

E. L. MORRIS,  
*Clerk of the Committee.*

## MINUTES OF EVIDENCE

COMMITTEE ROOM 425,

HOUSE OF COMMONS,

TUESDAY, May 28, 1929.

The Select Standing Committee on Marine and Fisheries met at 4 o'clock, p.m., the Chairman, Mr. Wm. Duff, presiding.

The CHAIRMAN: Shall we commence with article 2?

Mr. McRAE: Read the last paragraph of article 1.

The CHAIRMAN: (Reading):—

The High Contracting Parties engage to have prepared as soon as practicable charts of the waters described in this Article, with the above described boundaries and the International boundary line indicated thereon. They further agree to establish within the territory of the Dominion of Canada and the territory of the United States such buoys and marks for the purposes of this Convention as may be recommended by the Commission hereinafter authorized to be established, and to refer such of these recommendations as relate to points on the boundary to the International Boundary Commission. United States-Alaska and Canada, for action pursuant to the provisions of the Treaty respecting the boundary between Canada and the United States signed February 24, 1925.

Now we will go on with article 2. (Reading):—

### ARTICLE II

The High Contracting Parties agree to establish and maintain a Commission to be known as the International Pacific Salmon Fisheries Commission, hereinafter called the Commission, consisting of six members, three on the part of the Dominion of Canada, and three on the part of the United States of America.

The Commissioners on the part of the Dominion of Canada shall be appointed by His Majesty on the recommendation of the Governor General in Council. The Commissioners on the part of the United States shall be appointed by the President of the United States, and the Commissioner of Fisheries of the United States shall be one of them.

The Commission shall continue in existence so long as this Convention shall continue in force, and each High Contracting Party shall have power to fill and shall fill from time to time vacancies which may occur in its representation on the Commission in the same manner as the original appointments are made. Each High Contracting Party shall pay the salaries and expenses of its own Commissioners, and the joint expense incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties.

Mr. MACDONALD (Richmond-West Cape Breton): What is the idea of putting in there "The Commissioner of Fisheries of the United States"? They have the power to make their own appointments. Why should that be put in the treaty?

[Mr. W. A. Found.]

Mr. W. A. FOUND: It is their own provision; I do not know the reason why; it was put in by them.

Mr. McRAE: There is one thing I want to comment upon; what has been called the novice work in drawing this treaty. Here in article II you will notice it is called "The International Pacific Salmon Fisheries Commission, hereinafter called the Commission". That is quite in order, but coming down to Article IV you will notice that it called "The International Salmon Fisheries Commission". The word "Pacific" is left out. The same thing applies to Article V. I call your attention to that to show the amateurishness of the whole thing. We are in a serious international treaty and it should not be possible for little inconsistencies like that to get by. Technically it is not right.

Mr. SHORT: It also says that this treaty was signed March 27, 1925. This House was in session. Why was this not brought up before this Committee then? If there were any recommendations they could have been made, and the flaws could have been picked out and removed, and there would have been no trouble about it going through. I would have thought that would have been the most natural way to handle this thing. If we have to pass on this, we might have done it before it was signed.

The CHAIRMAN: We will point that out in our report.

Mr. McRAE: There is one thing that is most unusual in any treaty, and that is this provision for a treaty in which three proposed commissioners are to act as a commission, and that an agreement signed by Canada should stipulate that the Commissioner of Fisheries of the United States shall be one of the United States commissioners. There must be some excuse for that. Otherwise there is no sound reason why that should be in the treaty.

The CHAIRMAN: Shall we proceed with Article II?

Mr. McRAE: This is a very important question for each country.

Mr. NEILL: I want to say a few words about the personnel of this Commission, because, as I said before, the whole thing hinges on that. This is a very difficult situation; it has baffled the brains of all succeeding governments for something like thirty years. There was a commission went out there, composed of members, in 1922, and even we could not agree on it, and we made a divided report, and there has not been ten men yet who have agreed as to what the remedy is, and so it is highly necessary that the very best brains be obtained, and the personnel be selected in such a way as to leave no opportunity for criticism. I am repeating what Mr. Found heard me say at the meeting, that what we want to get away from now is to keep it out of the hands of what I call "political hacks." I also suggested, in order to do away with any possibility of anything of that kind—I said, "Do not let us pay these fellows; pay them \$10 or \$15 a day, for the days they actually sit, so that the men who represent the fishermen will not be out of pocket, but otherwise they should be proud to do the work without remuneration."

My idea is that the United States government insisting that the United States Commissioner of Fisheries be one of them makes it necessary for an official of our own to sit on that Board, and certainly the Deputy Minister would be the appropriate man, but, as I said, do not leave it to the government for fear that it fall upon evil times and gets to the political hacks. We can recommend to the Government that in the appointment of the personnel of this Commission from our side they appoint the Deputy Minister, one man, not a representative of the cannery but to be nominated by the cannery, and one man not a representative of the fishermen, but to be nominated by the fishermen. These shall be appointed by the Government. How can that be done? Quite easily. The cannery all belong to one large organization, and there is nothing easier than for them to get together and nominate one of



themselves, in whom they have confidence. Then the fishermen have a big organization, composed of something like 1,200 men. I believe that every Fraser River fishermen belongs to the British Columbia Fishermen's Protective Association; they have regular meetings and some very able men. This man Maiden is a very able man; he has been secretary for years. I have telegrams and letters urging that Maiden be made the fishermen's representative.

If this suggestion is followed you will have this result; that you have a man in whom the Government has confidence, a man in whom the canners have confidence, and a man in whom the fishermen have confidence. If you do it any other way you will create a feeling of ill-will and suspicion because the fishermen will not accept the canners' representative and vice versa.

There is another benefit which will result and that is that it will preclude the bringing in of the Assistant Commissioner of Fisheries, a man named Mr. Babcock, a very excellent man, and yet if we go to breaking up this personnel it will end in having Mr. Found the representative of the Dominion Government, and Mr. Babcock representing the Provincial Government and there will be absolute discord because we will have one man representing both conflicting interests of cannerymen and fishermen and that cannot be done. If you endorse the suggestions I have made it will do away with a great deal of unnecessary friction. There is no need for the province to be represented. Their interest is very subordinate, they have no other interest than any ordinary citizen of British Columbia, and I really urge with all the earnestness of which I am capable that we make a recommendation of this kind to the Government.

Mr. McQUARRIE: Referring to Article II and the previous Article I, and all the other articles in this treaty, there should not be any misunderstanding at all; nothing should be taken for granted at any time. That, I think, ought to be perfectly clear. We have not agreed to the first article; we are discussing it. We do not agree, as far as Mr. Found is concerned anyway; and we do not agree to the first one. That being understood, I do not mind discussing this Article 2:

The Commission shall continue in existence so long as this convention shall continue in force, and each high contracting party shall have power to fill and shall fill from time to time vacancies which may occur in its representation on the Commission in the same manner as the original appointments are made.

But that does not give Canada any power to change our Commissioners. If a man dies or resigns they have a right to fill the vacancy; but if we find that Commissioners who are appointed to represent Canada are not satisfactory, there is no power for us to change them.

The CHAIRMAN: I would think so.

Mr. McQUARRIE: Absolutely no. I think that that provision should be made. Mr. Neill has stated that Commissioners may be appointed who will not be satisfactory. Now, there should be power surely for the contracting parties to remove their Commissioners when and as they think fit.

The CHAIRMAN: I think it is taken for granted.

Mr. McQUARRIE: It is not.

Mr. MACLAREN: I do not think you can take it for granted.

Mr. McQUARRIE: No. The Commission shall continue in existence as long as the convention shall continue in force.

The CHAIRMAN: That is the whole Commission.

Mr. McQUARRIE: Have you considered this Article 2? More or less it states the manner in which Commissioners shall be appointed and then those

[Mr. W. A. Found.]

Commissioners become the Commission, and then the Commission as proposed in that manner shall continue in existence so long as this convention shall continue in force.

The CHAIRMAN: That is the Commission, not the Commissioners.

Mr. McQUARRIE: The Commission is appointed—"and each High Contracting Party shall have power to fill and shall fill from time to time vacancies which may occur in its representation."

Mr. BRADY: The whole thing is the vacancy.

Mr. McQUARRIE: Now, a vacancy can really occur by reason of the death or resignation of a Commissioner. Consequently,—

The CHAIRMAN: Or removal from office.

Mr. McQUARRIE: There is no power to remove them.

The CHAIRMAN: Yes, under an Order in Council.

Mr. McQUARRIE: No. There is no power to remove them, and those men who are appointed will stay there for sixteen years if they see fit, and this Government has no right to change them.

The CHAIRMAN: I hardly think so.

Mr. McRAE: I think what Mr. McQuarrie claims with respect to the Commission certainly applies to the big man on this Commission, that is the Commissioner of Fisheries in the United States. He is fixed if any man is. Now, Mr. Found will correct me if my report on Mr. O'Malley, who is the Director of Fisheries in the United States, is wrong. Mr. O'Malley, I believe, was the right hand man of the President when he was Secretary of Commerce. I presume he is the right hand man to-day. Mr. O'Malley is represented as a most courageous and outstanding American gentleman. He is said to have taken the Alaska canners by the neck and made them lie down, be good, and like it. I take it that that is the one reason why he is put on this Commission, that he may do the same thing exactly with the Canadian canners, and I am not sure it is not coming to them. But I want to point out to you that Mr. O'Malley is, perhaps, the outstanding and strongest man in the government of the United States, if not on this Continent with respect to this particular business. Now, there is a great deal in what Mr. Neill has said as to having in the interests of Canadians, the right kind of Commission. In that connection, I may say the common report on the coast is that Mr. Freeman—they will have two members on the Commission who will be appointed by the state of Washington, actually appointed by the state of Washington, but who will be nominated by the President, and they will be, so I am told at the moment, Mr. Millar Freeman, who is the representative of the American fishermen, and is on the Halibut Commission at the present time—a very able American—and Mr. Edward Simms, one of the large cannery men.

Mr. McQUARRIE: I think he is one of the Washington Trade Commissioners.

Mr. McRAE: There is one thing we must remember, and that is that the fishery business on Puget Sound, and what affects that section affects British Columbia, is in the hands of the state politicians of Washington. It has never been free from that domination, and I do not suppose it ever will be, because I notice in Mr. Found's file to-day a very interesting paragraph which I would like to read into the Minutes. It is an address by Mr. Coolidge to the Governors of the thirteen original states regarding the Puget Sound fisheries. He emphasizes the necessity of local self government and the functions of the state in administering their own affairs, and the danger of extending federal authority to matters which are properly under state jurisdiction. He goes on to say that as long as the spawning ground in a large part of the fishing area was in

Canada, the present situation could only be dealt with by treaty. And then this statement follows:—

In order to preserve a measure of prerogative and the functions of Washington it is desired that we ought to commence by communicating with the Governor of Washington although the high power could rest with the President, etc.

The article which is a printed article on the first of your file, Mr. Found, is a very clear indication of the rights of the state of Washington, and the desire of the United States not to interfere with those rights. We will come to that in a few minutes under this treaty. It speaks of how far they are going to interfere with state direction under this fishery treaty, and when I say direction, I mean state political direction, because that is, apparently, what the canneries of Puget Sound have been under for the last fifteen or twenty years. Just how far the state and state politicians are going to interfere with this treaty is a subject that is going to make something very interesting in the article that is ahead. Now, I have spent quite a bit of the time of the Committee to show you the big Americans you are going to have to deal with, and you are going to have to put great big Canadians up or you will find that these three men are going to come into this country but are not going to run the whole province of British Columbia as far as fisheries are concerned.

Mr. NEILL: Perhaps I might be permitted to refer to a telegram on the file. There is a letter and a telegram. The letter is dated February 9th. I received this letter from New Westminster. It is headed, "B.C. Fishermen's Protective Association" and it reads as follows:—

DEAR MR. NEILL,—At the regular monthly meeting of the B.C.F.P., held on the 2nd inst., at G.H.Q. here, with representatives from other locals present, including those at Port Haney, Bella Bella and Sointula, it was unanimously decided to ask the Dominion Government to give the B.C. fishermen representation on the proposed joint commission to deal with B.C. fisheries by appointing on said board Mr. William Maiden of New Westminster, long associated with salmon industry of British Columbia.

By concurrent mail I am notifying Mr. W. A. Found of the action taken, with the request that he forward the letter to the executive head if it is beyond his authority.

Anything that you may do to further the wishes of the fishermen in this respect will be appreciated by them and,

Yours truly,

RICHARD MARSHALL,  
*President.*

The wire is dated April 17th and it is addressed to me here at Ottawa and it reads:—

Urgently request you present demands fishermen for their representative be appointed on Joint Commission under Fraser River Treaty stop. Remember Vancouver meeting favoured fishermen and cannerymen representative and one from Dominion Government or independent man stop. Fishermen want representation.

R. MARSHALL,  
*President B.C.F.P.A.*

[Mr. W. A. Found.]



The CHAIRMAN: It seems to me it is not necessary for us to go into that. The government will have to take the responsibility.

Mr. McQUARRIE: I would like Mr. Found to explain why the United States insisted upon naming the Commissioner of Fisheries in the United States as well as the Commissioners?

The WITNESS: No, I would not like to undertake any explanation.

Mr. McRAE: You said yesterday that you drew the treaty. You drafted the treaty.

The WITNESS: Mr. Chairman, I said yesterday that I made a draft. That is another thing.

*By Mr. McRae:*

Q. Did they add this on, or did you put this in?—A. It certainly was not in any draft of mine.

*By Mr. McQuarrie:*

Q. It came by way of a suggestion from them?—A. That is in the signed treaty, Mr. Chairman. I think it must be reasonable to assume that the United States had their own reasons for it. I do not see that it is a matter of very much interest to us.

Q. They did not give any reasons; there are no reasons given for that?—A. None that I know of.

*By Mr. McRae:*

Q. We would like to know regarding the negotiations; what the original ideas were and what they were originally changed to and found their way into the completed treaty. Now, in your original draft which you prepared, and which I take it from the correspondence was not materially changed—I think if you say that the original draft was substantially the treaty—if you would say that, we would realize what the original draft was; but if, on the other hand, your original draft is materially different from the finished draft, I think this Committee should have this original draft and what your own ideas were that you put forward in its original form.—A. It is a matter entirely for the government. I, as an officer, submit my views which I gave in the usual official way, and which, so far as that is concerned, are confidential. They had their beginning by the head of the Department or by Parliament. I would not like to be brought into doing or saying anything which I should not do or should not say, no matter how much I should like to.

Mr. McRAE: I have no desire to embarrass the Deputy. I realize that in the negotiations of the treaty there were probably conclusions that were reached, and that sort of thing, and that we have to get back to a compromise basis. But there is some place where a start is made.

There are on the file documents which the Deputy Minister will not say are confidential—a number of draft treaties which I have not read over.

The WITNESS: Those are all confidential.

Mr. McRAE: The correspondence goes on to change those drafts though not materially. They were changed in the phrasing, but not in the working clauses of the treaty—not in the working articles—and I would like to have from the Deputy Minister either his concurrence or denial of that impression. I may be right or wrong. I want to know if this finished treaty is changed in substance, so far as its working out is concerned and so far as the changes apply to the working out—whether it is substantially the same as the files disclose. If the Deputy Minister will say that is true, we will get on with this treaty.

[Mr. W. A. Found.]

The CHAIRMAN: I do not see what bearing it has on it.

Mr. McRAE: It has a very direct bearing, Mr. Chairman, in this respect: I take it the Committee want to know whether this is a desirable treaty or not, and we want to know how far—

The CHAIRMAN: We will be governed by the treaty, not by any draft.

Mr. McRAE: Not at all. Quite the contrary. Treaties are all compromises. We want to know how far we have compromised.

Mr. McQUARRIE: Perhaps we might start from the treaty.

Mr. McRAE: I am perfectly frank in saying this, that, as I see them, the drafts on file are substantially this finished treaty, which is not materially changed.

The CHAIRMAN: What is the use of going into the previous drafts, if this is substantially the same as the draft?

Mr. McRAE: I would like to know if the Deputy Minister agrees.

The WITNESS: Mr. Chairman, I cannot say more than I said before. As an officer of the government, I submit my views to the government. The government considers these and acts on them. It may approve or disapprove. It is not for me to answer a question like that.

*By Mr. McQuarrie:*

Q. As to the first draft submitted by you to the United States, there would not be the same objection.—A. There was no draft submitted by me to the United States. It would be submitted to the government.

*By Mr. Short:*

Q. The Americans submitted one to us eventually, from this file.—A. No, they did not.

Q. They submitted a draft on the file?—A. That is very unfair, Mr. Short. I explained—

Q. I know; but the file shows it.—A. No, it does not show that at all, any more than that you and I might work together, Mr. Short, to help each other.

Mr. MACDONALD (*Cape Breton South*): If the Deputy Minister has been insisting on certain features going into the treaty, and they have been turned down, the Committee have a right to know that, and to back him up. That is the only feature I can see.

Mr. BRADY: I would like to ask the Deputy Minister this. Naturally, there would be a beginning to the treaty, some draft—some draft of the treaty forwarded to the United States, and naturally there might be changes made, drawn and returned in the usual way. Would that not be the usual procedure, to send a draft, say, to Washington, of the proposed treaty. There must have been a draft of the proposed treaty since it emanated in Canada, sent to the United States for their agreement to it or to make some changes, or there might be local obstacles in the way of certain articles in that proposed draft. I would like to know, sir, if it is a fair question? Would that be the procedure, or what was the procedure?

The CHAIRMAN: There is no question; that is the procedure. Mr. Found's position is that he does not want to answer a question which is entirely confidential between governments. We can draw our own conclusions. There must have been negotiations and draft treaties both backward and forward, and this is the final treaty approved by the two parties. Now, I think you should not go outside of this.

Mr. McQUARRIE: I submit, Mr. Chairman, we are entitled to know. We have before us a copy of a draft submitted to Canada and the United States—and then we will be able to know what changes the United States made in our draft. There is nothing unfair to that.

The CHAIRMAN: I think we are past that stage, Mr. McQuarrie.

Mr. McQUARRIE: No, we are in it.

The CHAIRMAN: No, we are dealing with this treaty; we are not interested in any draft.

Mr. McQUARRIE: You rule that we cannot get any information as to the drafts?

The CHAIRMAN: I would think so. That is fair.

*By Mr. McRae:*

Q. Might I ask, Mr. Found, if in your conferences with the province of British Columbia—if you secured what was, in effect, a draft treaty?—A. At all discussions to which I referred yesterday that I had with the Commissioner of Fisheries for the province, I explained to him quite fully what was considered should be in what should be the provisions of the treaty.

*By Mr. Brady:*

Q. Verbally? It was a verbal message you gave him; not a written one?—A. No. I was in the office with him.

The CHAIRMAN: Verbal.

*By Mr. Short:*

Q. Did that treaty that you submitted to them verbally differ very much from this present treaty?—A. Not in principle.

*By Mr. McQuarrie:*

Q. Was it the first draft, or a later draft?—A. Ah,—

*By Mr. Ladner:*

Q. Was it to Mr. Babcock or Mr. Howe?—A. Mr. Howe, and Mr. Babcock was there also.

Mr. McQUARRIE: Was that a draft which was afterwards amended, or this treaty? I think we are entitled to an answer.

Mr. MACDONALD (*Cape Breton South*): This treaty was concluded on the 27th of March, and here we have this Order in Council passed on the 4th day of April, so the whole treaty must have been before that British Columbia meeting.

Mr. McRAE: The date was before that. There was the meeting in November, as Mr. Neill says, November 10th. At Victoria they had a meeting. Before that date they had a meeting. I take it that it was previous to the Vancouver meeting you were at, Mr. Found.

The WITNESS: Yes.

*By Mr. McRae:*

Q. And you met with them?—A. I do not know why there seems to be some air of mystery sought to be given to this matter; there is none. The facts are very briefly these. I had to go to the Pacific coast in connection with a meeting of the Halibut Treaty which took place in Seattle. I took advantage of the time to attend to a great deal of official work in different parts of the province. I went to Seattle, and on my way back I did some work in Vancouver. I went to Seattle to attend the Halibut Commission. On my way back I went to Victoria and had a conference with Mr. Howe. I do not remember what day of the week it was. I was desirous of making every day



count. We went into the matter. I discussed the matter with him fully. I then came to Vancouver, and as quickly as I could arrange matters, had a meeting with the fishermen and the canners in Vancouver. I had arranged meetings before.

Q. I want to read what is on file here—a wire from Mr. Babcock, the Assistant Commissioner of Fisheries in Victoria. This was in the letter. I have not got the date of the wire. But Mr. Found will remember the wire. Here is what Mr. Babcock says:—

I am directed by the Premier and the Commissioner of Fisheries to advise you that the Government of British Columbia endorses and recommends the exchange of a treaty between Canada and the United States dealing with the sockeye salmon fisheries of the Fraser system and containing the provisions read by you at the conference on November eighth.

I ask if that is what you read? That is the treaty. That is what the province agreed to?

Mr. McQUARRIE: The question is what did you read?

*By the Chairman:*

Q. Does this treaty differ in any way from the negotiations you had with the province of British Columbia?—A. Not in substance as I explained before. I am speaking from memory, and that is a record. It is possible that I read it rather than gave them the verbal substance of it. The principles then put before the Deputy Commissioner were certainly this treaty as this treaty was subsequently when it got before the government in a signed form, and was approved by the government.

Mr. BRADY: In other words, on that point it would mean that the conference held in Seattle—

The CHAIRMAN: Not in Seattle; in Victoria.

Mr. BRADY: The conference held in Victoria was a tentative basis for this treaty. Would that be fair? It would be the tentative basis for this treaty?

The WITNESS: Yes, that is a reasonable way of stating it.

Mr. McRAE: Might we have a copy of that draft that was read at Victoria on the 8th of November? There is nothing confidential in that.

The CHAIRMAN: He might not have it. Have you?

The WITNESS: It is a matter I have no say in.

The CHAIRMAN: You say it does not differ substantially from the present treaty—the negotiation—the draft treaty.

Mr. McQUARRIE: It could not be a private document; it was read at this meeting.

The WITNESS: That was the Commissioner of Fisheries for the province of British Columbia, a Minister of the Crown, and his Deputy.

The CHAIRMAN: It was a confidential meeting.

The WITNESS: Entirely a confidential meeting within the four walls of his office.

Mr. MacDonald (*Cape Breton South*): They were simply consulting with regard to the province. Is this treaty in any way different from the provisions that you were insisting on?

The WITNESS: Not in substance. There may have been some modifications.

Mr. SHORT: As I understand it, the province of British Columbia accepted the draft treaty that you read to them?

[Mr. W. A. Found.]

The CHAIRMAN: They have also accepted this of a later date.

Mr. SHORT: Have they accepted this?

The CHAIRMAN: Yes.

Mr. McRAE: Now, Mr. Chairman, we have cleared it up. If Mr. Found says—

The CHAIRMAN: I want to satisfy Mr. Short with regard to this draft. It reads:

Certified copy of a Minute of the Honourable the Executive Council, approved by His Honour the Lieutenant-Governor on the 4th day of April, A.D., 1929.

To His Honour,

The Lieutenant-Governor in Council. . . . .

That means the Lieutenant of British Columbia.

The undersigned has the honour to recommend

That His Honour the Lieutenant-Governor be requested to convey to the Government of Canada, through the Secretary of State, the strong sense of satisfaction and gratification felt by the Government of this Province upon learning of the conclusion in Washington of the Fraser River Salmon Treaty.

Dated this 3rd day of April, A.D., 1929,

S. L. HOWE,

*Provincial Secretary.*

Approved this 3rd day of April, A.D., 1929.

R. W. BRUHN,

*Presiding Member of the Executive Council.*

Mr. McQUARRIE: Did they have a copy of this treaty before them?

The CHAIRMAN: Yes, Mr. Found told us that yesterday.

Mr. SHORT: That is the first day of April?

The CHAIRMAN: The third of April.

Mr. McRAE: I think that I understand, and if Mr. Found concurs, we have cleared up the situation that the draft treaty submitted to British Columbia on November 8th was substantially the finished article that is before the Committee at the present time.

The CHAIRMAN: That is what I said.

The WITNESS: Substantially, yes.

*By Mr. McRae:*

Q. No material changes?—A. No.

Mr. McRAE: Now, Mr. Chairman, I notice one other thing on the file—

The WITNESS: I do not know what is in the mind of the Committee. I want to be frank. I want to be careful. I say "substantial". The principles of the draft then are here. There may have been changes.

*By the Chairman:*

Q. Let me ask you this question. Did you send a copy of this convention as it appears even now to the government of British Columbia?—A. Immediately it was available.

[Mr. W. A. Found.]

Q. Have you received any objections to this treaty?—A. Not one word.

The CHAIRMAN: Then they must be satisfied. There may be some doubt as to when this convention arrived in Victoria; but since that time, I want to say they have had ample time to object.

Mr. McQUARRIE: When did Mr. Found send that?

The WITNESS: Immediately it was available.

Mr. McQUARRIE: I was wondering when that would be.

The WITNESS: A very few days after it was signed.

The CHAIRMAN: They have had ample time to raise any objections if they had any.

Mr. McRAE: Mr. Found has cleared that up. He cleared that up without my doing so. But there seems to be some doubt as to what we are driving at. I want to say that that file disclosed one thing: this treaty was presented practically in its present form to the United States for the consideration of their government, and there have been no material changes in it.

*By Mr. Neill:*

Q. Before we leave that, for my own protection, I would like to ask Mr. Found if at that meeting of the 10th November I suggested—either on that occasion or before or since—that I would like to see a federal member of parliament on that Commission.—A. Certainly such was not my impression in any stage of the proceedings.

Q. Did I not advocate that it should be composed of one Dominion official and one representative each of the canners and the Fishermen?—A. That is my recollection.

*By Mr. Brady:*

Q. Article II definitely states that the cost of all such work shall be borne by the High Contracting Parties.—A. It does not mention any salaries. It is the same thing in the Halibut Treaty; you are quite welcome to the salary I receive as a commissioner.

Q. For my information; there is a rather definite statement regarding the Commissioner of Fisheries for the United States being on this Commission, while on the other hand the question is left open as regards the Canadian side. On this point was there any conference with the State of Washington?—A. This treaty has nothing to do with the State of Washington. I have repeatedly tried to make that clear.

*By Mr. McRae:*

Q. The State of Washington is mentioned in it?—A. In what way? The State of Washington has nothing to do with the signing of the treaty.

The CHAIRMAN: Article III reads:

### ARTICLE III

The Commission shall make a thorough investigation into the natural history of the Fraser River Sockeye Salmon, into hatchery methods, spawning ground conditions and other related matters. It shall conduct the sockeye salmon fish cultural operations in the area described in Article I, and to that end it shall have power to improve spawning grounds, acquire, construct, and maintain hatcheries, rearing ponds and other such facilities as it may determine to be necessary for the propagation of sockeye salmon in the waters covered by this Convention, and to stock the waters with sockeye salmon by such methods as it may determine to be most advisable. The Commission shall also have authority

[Mr. W. A. Found.]



to recommend to the two Governments the removal of obstructions to the ascent of sockeye salmon in the waters covered by this Convention, that may now exist or may from time to time occur, and to improve conditions for the ascent of sockeye salmon, where investigation may show such to be desirable. The Commission shall report annually to the two Governments what it has accomplished and the results of its investigations.

The cost of all such work shall be borne equally by the two Governments, and the said Governments agree to appropriate annually such money as each may deem desirable for such work in the light of the reports of the Commission.

*By Mr. McRae:*

Q. Let us start in by taking that sentence by sentence. The first sentence reads:

The Commission shall make a thorough investigation into the natural history of the Fraser River Sockeye Salmon, into hatchery methods, spawning ground conditions and other related matters.

I presume that is pretty much a matter of record with our own department, is it not?—A. We have all that is available.

Q. "It shall conduct the Sockeye Salmon fish cultural operations in the area described in Article I." That would mean the Fraser River, the lakes and tributaries? There is no culture outside of that, so that this function of the Commission is for all purposes concerning only the Fraser River?—A. Yes.

Mr. NEILL: It covers the whole area.

The WITNESS: Not unless something is developed.

*By Mr. McQuarrie:*

Q. Where would that come in?—A. Well, we did not know flying a hundred years ago; we do not know what will develop in the future.

*By Mr. McRae:*

Q. We cleared it up yesterday that there was no river mentioned except the Fraser. So this refers to the Fraser?—A. Yes.

Q. And the Fraser River is all in Canada?—A. Yes.

Q. And none in the United States?—A. No.

Q. I would like to ask for a little elaboration on these different powers. One is to improve the spawning grounds. Just what improvement do you refer to?—A. One thing might be the removal of enemy fish from the spawning grounds; fish detrimental to the eggs there.

Q. Particularly trout?—A. The Squawfish are a great enemy out there, as well as the trout. I would not like to say that that is what improvement of the spawning grounds will be, as there are many things to be learned, and we may learn later on other things necessary to clear up the situation.

Q. Clearing off the grounds and smoothing them off?—A. Yes, wherever that is needed to make them more reproductive.

Q. The next sentence reads: "Acquire, construct, and maintain hatcheries, rearing ponds, and other such facilities." What would the nature of that construction be? How would you start? Are they going to buy the property or expropriate it?—A. It might be either.

Q. Am I fair in saying that the title to these hatcheries would be vested in this Commission?—A. No, I would not say so at all.

Q. In whom would it be vested?—A. There is nothing in this treaty which would make them be vested anywhere else than in Canada.

*By Mr. McQuarrie:*

Q. The Commission has the power to acquire; it does not say "Canada" or "the United States," but the Commission.

The CHAIRMAN: Let us admit that the Commission has the power.

*By Mr. Brady:*

Q. I thought you said the other day that a treaty transcends all other rights; it has power greater than a province.—A. I said that, so far as the United States is concerned. It is quite obvious that when the treaty ends—and presumably it will end—it was never contemplated by the United States that they would do anything else but walk out, as it were, as there is nothing in this treaty to provide for any division of property which may have been acquired, or anything of that nature.

*By Mr. McRae:*

Q. There is no walkout clause in this treaty.—Yes. It is for sixteen years and thereafter until it is ended.

*By Mr. Bissett:*

Q. Has the Justice Department passed on this treaty?—A. Yes.

*By Mr. McRae:*

Q. Here is a rather interesting thing, if I may call attention to it. It may be confidential, but I see nothing on the file where the Justice Department answers a very important question asked by Mr. Found.—A. The answer is here. I went back for it and it was just located in the past few days.

*By Mr. McQuarrie:*

Q. Could we have the benefit of that?—A. (Reading) "In reply to your letter of the 21st, I may say that I have considered the question you have submitted and am of opinion that if under the provisions of the treaty the United States bears its share of the cost of the works to which you refer and the treaty be thereafter terminated, the United States will not have any legal right, title or interest in any such works which may be situated in Canadian territory."

*By Mr. Neill:*

Q. Who signed that?—A. The Deputy Minister of Justice.

*By Mr. McQuarrie:*

Q. What was the question you asked them?

Mr. McRAE: I have a memorandum here which may help. You enquired as to whether the proposed treaty would in any way affect the territorial rights or jurisdiction covered in the treaty should it be terminated. That was on the 11th of February.

*By Mr. Neill:*

Q. Then you have read the answer to that?—A. Yes.

The CHAIRMAN: I think that is quite clear. (Reading):

In reply to your letter of the 21st, I may say that I have considered the question you have submitted and am of opinion that if under the provisions of the treaty the United States bears its share of the cost of the works to which you refer and the treaty be thereafter terminated, the United States will not have any legal right, title or interest in any such works which may be situated in Canadian territory.

*By Mr. McRae:*

Q. That letter was not on the file?—A. No, it certainly was not.

Q. That was subsequent to the signing of the treaty?—A. This is dated the 21st of May this year.

Q. I submit that is an entirely different thing from what I am enquiring about. I want to tell you that I am speaking about the 4th of January, 1928—not this year, but a year ago—when this treaty was under consideration, and the Justice Department was asked a question and there is no reply from the Justice Department.—A. Mr. Chairman, I explained a moment ago—but will explain it again—that on my files I have a copy of the letter I wrote to the Justice Department, and the Justice Department did not reply, but asked me for some information which would make my request clearer. The matter remained there until the 21st inst., when I called their attention to the fact, and asked for a reply.

Q. I submit that this treaty was made without that absolutely essential answer to this question which the Deputy Minister asked, when the treaty was being negotiated.

Mr. NEILL: He knew it—

Mr. McRAE: He did not. He was asking for information. He went ahead and made the treaty and then got the confirmation after the facts were on file.

*By Mr. Brady:*

Q. Some gentleman here mentioned that the treaty is already so-and-so, and I think this is all very educational for the purposes we are seeking information upon. The purpose, of course, is not antagonistic opposition, but to illustrate what each word in the treaty means. I would like to ask you this question: Are you of the opinion that in respect of the rehabilitation of the Fraser River sockeye fisheries the right of the United States to co-operate, control, acquire, construct and maintain hatcheries in the Fraser River watershed is the only and proper security for the future growth and protection of the Fraser River sockeye industry?—A. It seems to me that that has been answered time and time again. It is obvious that the run in the Fraser River cannot be re-established without proper development of the spawning areas. Some one has to the work there. Whether it is done by one country or the other, if it is done sufficiently, it will be done anyway, provided the results are adequately protected. In the light of some thirty years of experience in failures to achieve that very important end, this method was conceived to be one which was practical and fair and one in which both countries would share in the study of the situation and the expenses of the redevelopment.

Mr. NEILL: Perhaps I can confirm that answer by adding to the quotation I gave yesterday from Hon. Mr. Tolmie. The latter papers have come to hand, and here is an addition to his statement. I am quoting now from "The Daily Province" of British Columbia, a Conservative paper and a fine, reliable one. It writes in large headlines "Tolmie Raps Ottawa Attack on Fraser River Salmon Pack". There are only half a dozen lines, and I will read them as an addition to the statement I made yesterday:

The restoration of the sockeye salmon fisheries of the Fraser River system is one of the greatest reclamation projects in which Canada and the United States can jointly engage, and can not be consummated except under the terms of such a treaty as the present. The government of British Columbia, and I believe the whole people of British Columbia desire that Parliament ratify this treaty.

[Mr. W. A. Found.]



*By Mr. McQuarrie:*

Q. Now, with regard to Article III. Is there any provision made for improving the spawning grounds? "Constructing and maintaining rearing ponds and other facilities." This Commission cannot interfere with legitimate water power projects.—A. The Commission shall also have authority to recommend to the two governments the removal of any obstruction.

Q. That is not answering the question at all. The question was whether this Commission under the powers as stated in Article III, would have any power to interfere with water power projects in the waters of British Columbia.

—A. I should say not.

Q. Why not? They may so improve spawning grounds so as to interfere.

—A. Spawning grounds are not in water powers.

Q. How about the rearing ponds?—A. They again are not in the water powers.

Mr. McQUARRIE: "Improved spawning grounds, construct and maintain hatcheries." Now, Mr. Chairman, am I right in assuming that that means to build the buildings and operate them as hatcheries?

The CHAIRMAN: Yes.

*By Mr. McRae:*

Q. Will the Deputy Minister say what the rearing ponds are? I am familiar with them, and so is he; but the Committee are not?—A. When the fish are hatching in the hatchery, sometimes the method is followed of distributing them and letting them forage for themselves in their native waters. It is becoming more and more considered to be a desirable practice to retain these young fish and to feed them until they reach a considerable size. The rearing ponds are to enable the fish to be so retained.

Q. These are usually constructed out of ponds of water, running water, and you have the rights of the water, naturally, in these rearing ponds?

*By Mr. McQuarrie:*

Q. I do not think Mr. Found has got my point. What I am suggesting is this: that the Commission may build a hatchery on a lake or put any other works on a lake which will be undesirable, perhaps, for water-power purposes. It may be necessary to raise the level of the lake and to flood the lands on which these hatcheries are situated or, perhaps on which a rearing pond is situated; and would not this provision make it absolutely impossible for such improvements to take place?—A. I do not see why that is so. In such a circumstance the rearing pond and improvements would be out of luck, that is all.

Mr. McRAE: Mr. McQuarrie has brought up a very serious question in connection with this treaty. The watershed of the Fraser, you can well realize aggregates what is, undoubtedly, not even second to the St. Lawrence river, perhaps, in water-power and possible water-power development. The great development of the Fraser itself at Hell's Gate, where the river rises 90 feet in flood, gives some indication of the great power there. Coming into the North Thompson, there is power all the way to the Shuswap Lake, and this has been for years the greatest sockeye spawning ground, I suppose, in the world, the finest grade of fish going from there right up into the glacial lakes. There is tremendous water-power that will undoubtedly soon develop in connection with the resources in that country. Kamloops, and other nearby cities have a scheme for the development of the south branch of the Thompson river leading into Shuswap lake. There are many water-power developments that will probably be made in the next five, ten or fifteen years, and even the Fraser, which has probably the greatest power of any river in the

whole of western Canada, may come in for development. Now, I want to point out to the Committee that if this Commission is established without any protection for this water-power development, in my opinion, at least, it will be impossible, once this Commission is established, to put anything in the river that would obstruct the run of the fish, except with the approval of this Commission; and I would point out to you that it is 50 per cent American, and a strong crowd of Americans too.

The CHAIRMAN: They would have to have the approval of the British Columbia Government?

Mr. McRAE: They would have to get the approval of this Commission regardless of anybody else.

The WITNESS: Where do you find that?

Mr. McRAE: There is nothing to be taken away now in the way of water-power. But they have all the waters in their jurisdiction. Water-power development is in the future, and when this development comes up, it seems to me that these orders for fishery regulation and fish propagation, all being under this International Commission—this International Commission will necessarily have to give their consent to the development, before it is undertaken.

The CHAIRMAN: I do not think so. I think it is quite the reverse.

Mr. McQUARRIE: I think Mr. Found has something from the Justice Department on this; that this International Treaty supersedes any provincial rights.

The WITNESS: I never said any such thing.

The CHAIRMAN: That is impossible. This Commission must go to the British Columbia Government before they can take any steps regarding the development of water-powers, I would think.

Mr. McQUARRIE: The question came up in connection with the state of Washington and the province of British Columbia as to the rights of the state of Washington and the United States respectively, and this is to supersede all the rights of the state by an international treaty, as I understand it.

The WITNESS: As far as the United States are concerned.

Mr. McQUARRIE: That establishes the principle. There is no doubt about this proposition. I take it that this treaty does, in effect, take away from the province any rights which might come in conflict with the rights of the Commission under this treaty.

The CHAIRMAN: The province, evidently, is not objecting to it, if it is true.

Mr. McRAE: I think, probably, what Mr. Neill has stated, that the British Columbia Government, after all, has very little to say about it, is true. That was Mr. Neill's statement sometime ago with regard to it.

Mr. NEILL: May I mention to the Committee this fact. British Columbia's interests are in every respect fully safeguarded by this pact. The Commission is composed of six people, three from each country, and any decision arrived at must have a majority, two of them from Canada and two from the United States. It would not be possible for four men composed of three from the United States and one from Canada to decide. It says the majority vote must include two out of our three representatives who must agree. Does that not give British Columbia every security?

Mr. McRAE: Mr. Chairman, that just goes to show how little the hon. member for Comox-Alberni knows about the treaty. Now, what does he say? He says—and I presume this is the clause he refers to—

No action taken by the Commission under the authority of Articles 4 and 5 of this convention shall be effective unless it is affirmatively voted for by at least two of the Commissioners from each country.

[Mr. W. A. Found.]

Now, I want to point out to you that there is a very pertinent thing, that that refers specifically to Articles 4 and 5 and does not include Article 3 which, in the vernacular, is the guts of the whole thing. It does not include Article 3; and I want to know, Mr. Found, why this treaty was put into that form and does not include Article 3, because I want to tell you that this specific protection that is enumerated to the Committee here refers only to Articles 4 and 5, which are not the guts of the treaty.

The WITNESS: Mr. Chairman, if you will read Article 3, you will see that care was taken to prevent the very danger that is being discussed. The Commission is given power to do certain things; but on another matter which might affect water powers—the removal of obstructions—it is given power only to recommend.

*By Mr. McQuarrie:*

Q. They can put in obstructions?—A. It is not given power to put in obstructions which would interfere with water powers.

Q. It does not say that at all.—A. Well, common sense says that. We know that in the running of a hatchery you only have need for so many gallons of water a minute.

Q. I am stating a case to you of what might happen. The way we get power is to build a dam on a lake.—A. That might destroy things.

Q. Do you mean to say they could go ahead and do that kind of work in the face of that treaty?—A. I see nothing to prevent it in that treaty.

Mr. McRAE: Mr. Found says that Article 3 is very well safeguarded; but I want to point out to you that in Articles 4 and 5 which are so safeguarded they require this Article 6. You will notice that Article 5 deals with the close season, which the Canadian, much as they might wish to change the season, could not do unless they got all the Americans with them. Then you get to Article 5 which speaks of the size of the mesh—a very important thing in connection with fishing and fishermen, and the industry of our country. And yet we have this protection, that they must have two Canadians as a unanimous vote on the other side. But when we come down to the real article, Article 3, which involves a serious question in our own country, that same protection does not apply.

Mr. NEILL: It is the obstruction of water powers we are talking about.

Mr. McRAE: I am talking about Article 3. I have referred to Article 6. I have told you they applied to things that the Americans are interested in. It does not apply to Article 3 where we want protection, and we have not got it.

*By Mr. McQuarrie:*

Q. Now, as to the expenditures involved, it appears from this Article 3 that this Commission can go ahead and acquire, build and maintain hatcheries and so forth, and then the cost of the work shall be borne equally by the two governments. Well, now, can Mr. Found give the Committee any idea of the extent of the expenditure which will be involved by this particular Article?—A. I certainly cannot. I can only tell you what we have expended. Speaking from memory, and, therefore, subject to correction, what we contemplated spending on the Fraser River, if the treaty had become effective this season in the way of hatchery work, was \$74,000, so that, under this treaty if no further work than that is done we would only be spending half of that amount for the same work.

Q. It is not likely that the Commission is going to do that in a proposal to restore the sockeye on the Fraser River. It is likely that a very large and extensive program will be undertaken. Now, surely, some idea has been formed

[Mr. W. A. Found.]



as to the amount of money that will likely be spent in the sixteen years. Whether it will run into thousands of dollars or millions of dollars, or hundreds of millions?—A. It is all under the control of the government, because the money has to be voted.

The CHAIRMAN: The Commission recommends, and the government votes.

Mr. McQUARRIE: It is not the Commission which recommends.

The WITNESS: "As each may deem desirable for such work in the light of the reports of the Commission."

*By Mr. McQuarrie:*

Q. That is the point I was coming to. Now, that surely does not mean that this Commission can go ahead and undertake certain expenditures, certain works and so forth, and then this government of ours can repudiate a part of its share of the cost. Is that what you suggest, Mr. Found?—A. No, Mr. Chairman. I am administering funds all the time, and I have to be very careful not to make any expenditures that Parliament has not voted money for. The Commission will be in the same boat.

Q. No, no. This treaty will be a statutory matter?—A. This will be a statutory matter, depending entirely on appropriations of the two governments.

Q. I submit that this is a statutory matter, and that all this government can do is to vote its share of the cost of the work.

The CHAIRMAN: Would it not be in the same position as a Harbour Commission?

Mr. McQUARRIE: No, it is different entirely. I am raising that point, and I think I am entitled to some information as to what the expenditure is going to amount to.

Mr. McRAE: If I understand the treaty, it is true that this may be left with the government—the right to vote the money, but in good faith, after this Commission starts to function, the government would have to vote what the Commission recommended to each government, otherwise, your work falls down. In that respect I presume they will keep within reasonable requirements. But it seems to me that "may be deemed" means that they may say, "we are going to spend \$100,000 or \$150,000 a year," and they recommend to their governments, and they each vote half. I do not believe that we as members of Parliament would question this much at all, once we went into it. As to the amount of money needed in this work, I do not think the amount would be very great in District No. 1, but in the Columbia River fisheries there is the pound system. I know Mr. Found has not been favourable to the pound system, although it seems to have been successful on the Columbia River and on Puget Sound and gets results. On the Columbia River they spent last year \$118,000, if my memory serves me right, and it is fair to presume even more will be spent. But for the purposes of the Committee I think we may consider that probably \$150,000 would be the average expenditure on the Columbia River. Then, we are taking the Americans into partnership and they pay \$75,000. Now, is it worth while? That is the question. I think it is right for me to say that it will cost \$150,000 a year to rehabilitate the Fraser River. I think that will probably do it.

Mr. BRADY: I find that very extensive powers are really given to the Commission under this section; they practically control the whole of the sock-eye district in the Fraser River. I would like to ask the Deputy Minister, if such extensive powers are granted are we getting adequate consideration?

The WITNESS: Article 7 would be my answer.

[Mr. W. A. Found.]

*By Mr. Brady:*

Q. You say that Article 7 covers Article 3?—A. No, I say that Article would be my answer as to whether we are getting adequate consideration.

Q. Very good, sir. Now, in Article 7 the answer is this, "that inasmuch as the purpose of this convention is to establish for the high contracting parties, by their joint effort and expense, a fishery that is now largely non-existent, each of the high contracting parties should share equally in the fishery. The Commission shall, consequently, in regulating the fishery do so with the object of enabling, as nearly as they can, an equal portion of the fish that is allowed to be caught each year to be taken by the fishermen of each high contracting party." That is in reply to the question as to the extensive powers granted to the Commission under Article 3, and your answer is that we get adequate consideration under Article 7. But, sir, when we look at Article 3 and realize the extensive powers granted to the Commission, naturally one would think that for that great consideration Canada should get more than what is referred to in Article 7. In the protocol of the Washington treaty dealing with fisheries on the Atlantic coast, the United States offered to exchange for our inshore fisheries the right to fish in their waters—whatever that might be worth—offered to admit Canadian salt, fish and lumber free of duty, and on behalf of Canada the Commission did not consider this to be an adequate consideration or a fair equivalent. Now, I think, sir—we are here really to get illumination upon this treaty—it is not for the purpose of stopping it. I am sure, sir, as regards the Committee we are trying to find what we are getting for it. We are granting very extensive powers to that Commission for sixteen years; the control of that great watershed will be in the hands of that Commission to acquire and maintain control and everything else, and I would like that each of these Articles should be examined into and that every question that is asked should be answered in such a way as to satisfy us that the rights of Canada are attended to. I believe that this treaty, and all treaties are based upon reciprocal rights, equal rights. Now, I would like, before we finish this, to be sure that we are getting reciprocal rights from this treaty with the United States. We must admit that they have been responsible for the destruction of the Fraser River sockeye more than any other factor.

The CHAIRMAN: This Commission is appointed for the purpose of rehabilitating the Fraser River fishery. Suppose we do not approve of this treaty, we will be in the same position as we are at the present time, which is that the United States, through the methods they have adopted, are getting 70 per cent of the total catch of the fishery. If this convention goes into effect and this Commission is appointed, United States does not get that, and we get reciprocity to that extent. Instead of getting 30 per cent we get 50 per cent of the catch of fish.

Mr. BRADY: We want this treaty, Mr. Chairman.

Mr. McQUARRIE: Not this treaty.

Mr. BRADY: No, we want a treaty. We want to rehabilitate the Fraser. Now, Mr. Chairman, the method of catching fish on both sides is completely different, and we cannot eliminate the greatest menace to the industry which is the traps on the other side. So, it is not a reciprocal thing. We are giving a great power, and I feel that it will be well for us to know whether we could not make a treaty with the United States for their benefit as well as ours to rehabilitate the Fraser sockeye industry without granting such very extensive powers of control of our great watershed.

The CHAIRMAN: How would you do it? This is the only way I see.

[Mr. W. A. Found.]

*By Mr. McQuarrie:*

Q. I want to ask Mr. Found something in regard to Article 3. I did take up with him at the last meeting the question of why this Article 3 was included in the treaty at all; why it was not left to Canada, as in the past, to conduct the hatcheries and the fish ponds, and those things for the purpose of restoring sockeye on the Fraser River, and I do not think I got a very satisfactory answer from him. I asked him why this Commission was brought into the territory at all; why we were not capable of handling that part of the business ourselves?—A. I think I did answer that very fully yesterday, Mr. Chairman. There are two types of waters here, one of them being fishing waters and the other reproductive waters and both of them national waters. The Commission is given power—

*By Mr. McRae:*

Q. Pardon me; but the propagation waters will be entirely Canadian waters, not national.—A. The national waters are entirely Canadian waters on the one side, and entirely United States waters on the other side. They are national to the nation to which they belong.

Q. But not common to both?—A. Certainly, not common property; they are national property. This Commission is being given power to control the fishing in the national waters of the United States where 70 per cent of the fish are being taken.

The CHAIRMAN: By the Americans.

*By Mr. McQuarrie:*

Q. I am not referring to that.—A. I am.

Q. I am referring to the propagation?—A. We must refer to this whole matter now. Let us look at it fairly and squarely. We have been trying to find some method of rehabilitating the Fraser River in the interests of both countries. We thought we had found methods on at least two occasions to enter into treaties. They have both failed of materialization.

Q. Not because of anything on our part?—A. The fact remains that the end in view has failed to be carried out. That is merely my statement. I give it for what it is worth. The existing method, after thinking over it from all stand points, and in the light of experience, was considered to be one that would be likely to achieve that end. It seemed to be a perfectly reasonable thing that if the United States were going to benefit they should bear some of the cost.

Q. It is a different matter altogether?—A. I cannot see it.

Q. It is a different matter. I am not discussing that. What I am discussing is the advisability of letting this Commission, composed of three Americans and three Canadians, come into Canadian territory and carry out these works which we might very well do ourselves?—A. Let me ask this question. Why should the United States let the Commission go into its territory and regulate the fishing that is being carried on there now?

The CHAIRMAN: Pardon me, Mr. Found, Mr. McQuarrie is asking you why the United States should help to bear the expense of the propagation of fish in Canada.

Mr. McQUARRIE: No, that is not the question at all. I am asking him why the United States should come into Canada and take part in the propagation of our fisheries.

The CHAIRMAN: That is the same thing, is it not?

Mr. McQUARRIE: No, it is a different thing altogether.

[Mr. W. A. Found.]



*By Mr. McQuarrie:*

Q. Now, I will ask Mr. Found this question. This Commission will undoubtedly make all arrangements for the purchase of these properties, for the purchase of material, for the employment of workmen and so forth, will they not?—A. I should say so.

Q. What is to prevent this Commission from buying materials on the United States side?

The CHAIRMAN: Buying materials?

Mr. McQUARRIE: Yes. What is to prevent the Commission employing people from the United States to work in our hatcheries and build our hatcheries, and do this other work? Would that not be taking away from Canada a market to which Canada is entitled and also take away from the people of Canada the work which they are entitled to have.

*By the Chairman:*

Q. Is it not a fact to-day that from the money which is spent on propagation the United States gets 70 per cent of the total catch of the Fraser River, while under the new agreement—this proposed convention—instead of Canada paying all the expenses, the United States will pay half the expenses and gets only half of the catch?—A. Yes.

The witness retired.

The Committee adjourned until 8 p.m.

## EVENING SESSION

The Committee resumed at 8 p.m., Mr. Wm. Duff in the chair.

W. A. FOUND recalled.

*By Mr. McQuarrie:*

Q. Before we adjourned I was asking about the employment of Americans in Canada on this work of propagation. I would like to know from you whether that is contemplated, that is, the employment of Americans in Canada on work of propagation, construction, maintenance of hatcheries, fishponds, and things of that sort?—A. That will come within the purview of the Commission, supposing this treaty is ratified, and I cannot answer for what the Commission will do.

Q. Would the same thing apply to the purchase of materials, so that the result may be that we will have on this work, which was formerly done by Canadians, a proportion of Americans employed?—A. That might be.

Q. And also in the purchase of materials which were formerly purchased in Canada, a proportion of them might be purchased in the United States?—A. These are possibilities, but would, in the face of them, seem to be very remote.

Mr. MACDONALD (Cape Breton South): They would have to pay the duty on them.

The WITNESS: It is being done in remote portions of the provinces, where it would likely be an expensive matter to take things in a considerable distance.

*By Mr. McQuarrie:*

Q. As to materials?—A. Quite so.

Q. As to taking the men in—there would not be that objection.—A. It would depend on local conditions. If there were local men there, there would be that objection.

[Mr. W. A. Found.]

Q. Do you think it would be fair to allow the Americans a 50-50 division on both employment and materials—

The CHAIRMAN: I do not see how the witness can answer those questions, and I must rule that they are out of order.

Mr. McQUARRIE: What is wrong with them?

The CHAIRMAN: You are asking him to answer questions regarding something about which he knows nothing.

Mr. McQUARRIE: Naturally there is work to be done, materials to be purchased.

The WITNESS: The work is to be done by the Commission to be appointed.

*By Mr. McRae:*

Q. One thing, before leaving Article III, in respect to the division of costs. I want to ask you if there would not be a chance for disagreement, and if it would not have been better in this treaty to have taken a basis of \$50,000 or \$75,000, which the respective governments would have to vote each year under the treaty, and that amount supplemented on the recommendation of the committees of the respective governments; in other words, leaving the whole thing wide open as to what each government might feel disposed to conform to. I think it can be taken for granted that they will follow the wishes of their committees. Does that not invite an opportunity for disagreement?—A. Well, it would be merely my opinion; I do not see how it would. The Commission is there to do a job, and would seek to do that as intelligently and as economically as it possibly could.

Q. Then you agree with what I said before dinner that in passing the treaty the government would honourably be bound to follow the recommendations of the Commission as to the cost?—A. Well, I did not understand myself as acquiescing in that. It is the practice of governments to consider estimates which are placed before them. They may or may not approve of them, and they may cut them down.

Q. The point I am making is this: in living up to the obligations of a treaty, if we are not bound to follow the recommendations of the Commission, I ask you if we do not open up an opportunity for disagreement. If we are bound—and I think we are—then we must naturally take the recommendations of the Committee. Do you see my point?—A. I see your point, but I do not see the force of it. I do not see that it is probable that the Commission would make a recommendation of a character that would not likely be so fully explainable that it would not be accepted.

Q. Then, on the other hand, granting that, the governments will naturally accept the recommendations of the Commission and vote their share of the money accordingly.

The CHAIRMAN: He cannot answer that.

The WITNESS: I cannot answer that.

*By Mr. McRae:*

Q. Is that not logical?—A. From your standpoint, it may be.

Q. If that is true, have we not got an avenue for disagreement?

The CHAIRMAN: Then the convention can be terminated.

*By Mr. McRae:*

Q. I grant you that. But it is part of the treaty, and we do not resort to things of that kind because as gentleman nations—if I may use that expression—we live up to our agreement. Do you agree with that?—A. That we live up to our treaties? Yes.

*By Mr. Brady:*

Q. In regard to the removal of obstruction, which is particularly specified here, I would like to ask if the conditions at Hell's Gate for the ascent of salmon at this moment are as good as they possibly could be?—A. I would answer it this way; that they are as good as they ever were.

Q. Before the slide took place were there any impediments or difficulties in the river?—A. Yes.

Q. At all times?—A. As I stated in my opening remarks, the great canyon formed by these two ranges of mountains has always been a very difficult passage for the fish—sometimes impossible at certain stages of the water, but these stages have never lasted very long.

Q. Is it your intention that further expenses be incurred in removing these obstructions at Hell's Gate?—A. That again would come within the purview of this Commission which is given power to recommend to the government. They cannot do more.

*By Mr. McRae:*

Q. With respect to their removal?—A. Yes.

*By Mr. Dickie:*

Q. Is it not a fact that even after that canyon was supposedly blocked, or partially so—four years after—there was a pack of 500,000 cases of salmon which came down?—A. That is so.

Q. They must have gotten out?—A. Yes.

Q. What I am leading up to is this: we of British Columbia—and I presume the balance of the Committee quite agree that some treaty is necessary with the United States States owing to the peculiar conditions which prevail. I have wondered why it is necessary to spend very much money in that watershed. As you know, in 1913 there was a pack of more than 2,000,000 cases put up from the Fraser River, many of these fish coming from the upper waters. Four years later there was a pack of 550,000 cases, I think, put up by the Americans and Canadians together. That shows that there is a spawning ground at the head waters of this river for any number of fish. Why is it necessary to spend much money on hatcheries? It is a moot question whether these hatcheries have done much good or not. You have heard the arguments put up against them by canners and others on the coast. Why, if we allow the escapement of fish say for 15 days in July when there is a good run of good spring fish—why would not the Fraser River rehabilitate itself without the expenditure of a great deal of money? I ask that for the information of the Committee, and partly for my own information.—A. It will necessitate my making a few explanations to make the matter clear to the Committee. The first answer as to why it will not be so is that it has been demonstrated beyond, I think, peradventure, that the native stream theory is, at any rate, substantially true—fish that are spawned in certain areas and certain streams go back to those streams and reproduce; hence the effect of the slide in 1913 was to present a vast mass of fish that previously got back stream and spread themselves all over that 75 per cent of the spawning ground above Hell's Gate, and consequently three years hence it was practically restricted to the areas that kept up the off years. Now then as evidence that the closing up of the river for fourteen days would not have the effect we have in mind, we have this fact that in the earliest history of the province that we know of there was that peculiar phenomenon of one big year and three small years, so that there was no fishing in those three years. Had it not been that some such condition as I am referring to existed these off years would have re-established themselves into big years, if they ever were big years. It is a fact that during that year of the slide a certain number of fish got up. Both the provincial and



federal governments lost no time in doing everything they could when that big run was on. When it was found that they were not getting up, a number of fish were passed up by hand. A sluice-way was made, and a certain number of fish got up that way. But when I say the fish did not get up I am speaking in a comparative way of what would have happened if the blockade had not occurred. That condition was bad enough in 1913 when the fish were coming along, but, unfortunately, in the early months of 1914 that whole situation was rendered tremendously worse by a great slide that came down from the mountain, caused possibly by the tow being cut away in building the railway, and making the whole of what was then a rapid a practical fall. I may say right there that as soon as we had the information from the Provincial Deputy Commissioner who was, at that time, yearly making a survey of the conditions on the Fraser River, that the fish were being blocked—Parliament was not in session—the situation was regarded as so important that a Governor General's warrant was obtained to enable us to get to work and do whatever could be done to overcome the situation; but the fish did not come up in any considerable numbers. Since that time less numbers have been going up, although, a considerable number got up.

Q. In 1927 a good run of fish ran up to Shuswap Lake. They were, perhaps, an inferior grade of salmon, but it demonstrated the fact that they can get up. My question mostly is: suppose we should allow a sufficient escapement of salmon to pass from the American waters into the Fraser, would not those spawning grounds have reseeded in time, say in sixteen years, if we allowed that fifteen days? If we allowed those fifteen days and got a good run of salmon, would not those spawning grounds have further seeded?—A. Well, the question comes back as to why it was that these fish got there in 1927, and we have the result that stocking operations took place that have generally held up matters. As a matter of fact, we have got some fish back as far as Stewart Lake that were propagated.

Q. Several of us were on that Fishery Commission and we obtained some information. I can remember quite definitely when we held our final meeting in Vancouver I said to Mr. Simms, who is going to be on this Commission—and a very clever man he is—I said, “suppose we could re-habilitate the Fraser River will you give us 50 per cent of the fish we hatch in our own waters? He said, “Certainly not.” They were catching 70 per cent. Why this change of heart now that they are willing to take 50 per cent? What we view with considerable alarm is the fact that we are allowing Americans to go into that great territory. I do not say they would obtain vested rights, but I do not think the thing is going to be workable to as fine a degree as you expect. I know what it is to divide up 50-50 between two bodies, of salmon which are caught. The Chairman, who knows a great deal about the fishing business, has suggested that after the Americans had caught their proportion up to the 15th of June they would shut down. Mr. Chairman, the Americans have their salmon fishing methods which are not allowed in our waters, and they can catch more fish in a day with ten men than a hundred fishermen of ours can catch in a week. The whole system of British Columbia is devised for the greatest good for the greatest number. We want to give all of our fishermen a chance to make a living. On the other side of the line with those immense seines and fishing traps which you are particularly familiar with, some of you, a fish has a very small chance indeed with a very few fishermen employed. British Columbia has always looked forward to giving as much work as possible to the fishermen of that country; and I am afraid this is not going to work out to their advantage. I would very much rather say to the American people, “Play the game with us; let us go on and propagate the salmon in the Fraser River.” I do not see why it is necessary to spend a great amount of money; and, Mr. Found, just

as sure as you are sitting there, we will have to allow an escapement of fish for fifteen or twenty days if we are ever going to populate these streams again. Those are arguments that are worth thinking over?—A. Absolutely.

Q. Now, we have always played the game. Great Britain has played the game. There is a case which is almost similar with respect to sealing. I remember when there were 122 sealing vessels on the Pacific coast catching the seals which are born on the Pribiloff Islands and those other sealing islands in the North Pacific. They followed those seals down to the southern coast of California and from the southern coast of California back to the Behring Sea, and the seals were being decimated. The Americans raised a howl, and they said, "These seals are spawned on our islands, and other nations should not be allowed to catch them." George Starr Jordan of Stanford University went so far as to advocate branding the seals so that if they were caught in any part of the Pacific Ocean they would still be American seals. Of course, he got nowhere. But Great Britain, seeing that the seal herd was being decimated, entered, with the concurrence of Canada, into an agreement with the United States, Russia and Japan for the protection of sealing rookeries whereby our sealing schooners were pulled in and no one was allowed to shoot a seal on the Pacific Ocean. We did it because we thought it was just and fair to the Americans. Now, the seals were failing to get back to the Pribiloff Islands. They used to have two and one half million seals there each year. The number had fallen off to about six hundred thousand, and the situation was alarming. Unfortunately, these seal hunters when they killed these seals found that about 75 per cent of them were female seals that were carrying pups. These fur seals have a pup or two every three years, and by killing the females with pups there was just a double quantity of loss. Great Britain saw the error of it, and Canada acquiesced, and we entered into that treaty. They looked after their islands up there, and we did not hunt their seals. There was an immense revenue from seals. I can remember Victoria when the seal hunters came in there and it was some town; they painted it red. They distributed money with abandon and times were good. All that fleet was put out of business, and we left the seal rookeries in the hands of the Americans, and we get from the Americans 15 per cent of the seals that are raised. Now, our salmon in the Fraser River run through their waters. Just as many of those seals went through our waters. Why could not our American friends look at the matter of the salmon in the same way that Great Britain and Canada looked at the sealing industry? We have been trying to do what we can to protect our salmon. We are afraid we cannot protect ourselves against their methods. I do not say they are dishonourable; but they are very smart. Now, we think we are not getting a fair deal with respect to these fish. I know their rights are not vested rights, but just consider the situation, Mr. Found, at the end of sixteen years. That means four of those four year cycles. In that time the run should be pretty well restored to the Fraser River if your methods are effective. After sixteen years of this treaty, what will be done? The Americans will have their purse seines in our water and their traps and they will catch eighty or ninety per cent of that immense run of salmon. What chance have we got with our antiquated methods in British Columbia which are conducive to what is best for the majority of our fishermen? We have no chance at all. They get us both going and coming. That is why we are just a little bit alarmed, and we wish that some better treaty could be made, some treaty that would at least leave British Columbia in the hands of British people.

Mr. McRAE: That is quite a long question; but I think Mr. Found might answer it.

The CHAIRMAN: No, I do not think that that requires an answer.

[Mr. W. A. Found.]



Mr. McRAE: I would like to have that on the record. I do not know whether that comes under the rule.

Mr. DICKIE: It does come under it.

The CHAIRMAN: There is no need of any answer. You made a good statement.

Mr. DICKIE: As long as Mr. Found sees the force of it.

Mr. McRAE: I would like an answer to that question. It does seem that there is a sort of similarity between American seals from Alaska sailing up by our coast where, formerly, we were able to grab them off regardless of their perpetuity—those thousands of skins which reached the Victoria market, as Mr. Dickie has pointed out.

*By Mr. McRae:*

Q. Now, I want to ask Mr. Found this question. If we were broad enough in our vision to forego what we could get out of the American seals as they passed our doors, would it be too much to ask of the Americans that they will give our fish, which pass their doors, a chance to get to the Fraser River to perpetuate their kind?

The CHAIRMAN: Mr. Found cannot answer that. He cannot answer for the American Government.

*By Mr. McRae:*

Q. I want to ask him if there is not a bit of similarity between the two cases?—A. Not very much.

Q. One is American and the other is Canadian; is that right?—A. No, it is a different situation. It is quite true that the sealing herds were decimated, not to the extent only of six hundred thousand as Mr. Dickie said, but much worse.

Mr. DICKIE: Six hundred thousand was the least number on the Pribiloff Islands.

The WITNESS: One hundred and twenty-five thousand in 1911 was the official census of the number of seals then remaining on the island from a maximum herd that was variously estimated from the figures you gave to even higher; and it is also a fact that the pelagic sealers, many of whom were Canadians, were catching those seals and they were largely female seals returning to their rookeries to have their young. These are high seas, open to the sealing fleets of the world. The treaty was a quadripartite convention, not a bilateral convention.

Mr. DICKIE: In the first instance it was bilateral.

The WITNESS: The only treaty that became effective was a quadripartite one; the other one was never ratified, and was replaced by the existing one in which the United States shares to the extent of seventy per cent and gives up to the extent of thirty per cent. That is fifteen per cent to Canada and fifteen per cent to Japan. Let me just go a step further. In order to enable the situation to be controlled, the four parties to the treaty closed their ports to vessels that would engage in that industry, and to seals that would be taken by that method as a result that one rookery is being built up, so that at the last census there were approximately nine hundred thousand seals, and we are getting fifteen per cent of that each year. When that treaty was entered into the fleet of some sixty-four vessels had dwindled to four. That is the other side of it. That was the reason; the seal herd was becoming so decimated that it did not pay them to operate. In this instance, we are dealing with a fishery that is in national waters. I do not see what the difference is so far as nationality is concerned, whether we are fishing in them or whether we are reproducing fish in them. They are both national waters; and this treaty gives the Commission,

[Mr. W. A. Found.]



when appointed—three of them will be Canadians—authority to regulate the conditions under which fishing will be carried on in the national waters of the United States, just as it gives the Commission authority to regulate, similarly, fishing on the Canadian side and the conditions under which reproduction will be carried on.

*By Mr. McRae:*

Q. Mr. Chairman, I would like to take exception to that statement, because Mr. Found, on more than one occasion, has led the Committee to believe that the national waters on both sides were the same. Now, I agree about the salt waters on either side. That is all right. Mr. Found has agreed with this before, and I want him to agree once more: that the treaty does not include any fresh water on the American side, but it does include the Fraser River on the Canadian side. He can call that national water. I want to call it Canadian water.—A. It does not make it any less Canadian water because it is tidal.

Q. It would take you on the Fraser River right up to Babine Lake and beyond Prince Rupert?—A. That is no more Canadian water than the salt water.

Q. If that is not Canadian water I do not know anything about the geography of this country?—A. I do not say it is not Canadian water; I say it is; but they are no more Canadian waters than any other waters. I say the others are just as much Canadian waters or American waters, as the case may be.

Q. We have treaty waters in salt waters?—A. And the Fraser River is treaty water.

*By Mr. Dickie:*

Q. Would there be any chance for the Americans agreeing to a treaty respecting estuarial waters and leaving out the province of British Columbia—the spawning grounds? Let our government look after that. I do not think it is going to be a very expensive task. That is the gist of our objection. Do you not think a treaty could have been entered into whereby we could look after the spawning grounds? I do not know why the Americans should be so anxious to look after them. It would not cost very much money; and let us give them a fifty-fifty break down in the estuarial waters. I do not see quite why that concession should have been necessary. That is what I want a little information on.—A. I do not think I can put it more clearly than I did before. The facts are that we have been trying for about thirty years to find some way of rehabilitating the Fraser River by an agreement between the two countries. Two treaties have failed to become effective. In the light of experience, and in the light of past judgment in dealing with this matter, this seemed to be a possible and workable way which would be acceptable to all concerned. I think myself it is the best way. I cannot say any more.

Mr. McLEAN (Prince): If this treaty is so objectionable to the members for British Columbia, why not withdraw it and let them think it over?

Mr. McRAE: That is a good suggestion.

Mr. NEILL: I do not think it is a good suggestion, considering that the whole province of British Columbia, that everybody in British Columbia is behind the treaty and wishes it to go through.

Mr. McRAE: I do not think the province of British Columbia, any more than the government has seriously got seized of the real facts or of what this treaty means. There are no politics in this matter. We all want a treaty. We want a treaty on right lines and on a right basis; and I revert again to what I said here before when some of the members were not here, that I was sufficiently concerned about this a year ago, fifteen months ago, to bring it to

[Mr. W. A. Found.]

the attention of the Committee and ask for an opportunity to discuss it before the treaty was signed. I am sure we could have met our difficulties. It could have been done with due regard to our own position, had we been given an opportunity. Now, we have not been given an opportunity; and I think the suggestion of Mr. MacLean (Prince) is quite a wise suggestion. Before this goes any further it will have to be studied, and redrafted, and reconsidered and made in keeping with the ideas of the country. I maintain that as Canadians we believe we are just as good as anybody on earth, and we do not need anybody to come in to help us run our own business. I do not believe in any inferiority complex theory concerning Canadians.

Hon. Mr. KING (*Kootenay East*): Mr. Chairman, as a member from the province of British Columbia, I do not think the interjections in the last statement of our good friend from North Vancouver will help at all in solving this situation. We are dealing with a matter that is of great importance not only to the province of British Columbia, but to the whole of Canada. This treaty has been entered into. It has been developed by the work of scientific men in both countries with a view to bringing about a restoration of the greatest salmon fishery in the world. There is no question, as far as the province of British Columbia is concerned—those who are interested in the fisheries—that they are in favour of applying this plan with the idea of rehabilitating this fishery. The suggestion that was made to defer the matter will not help. It will give an opportunity to bring into being certain conditions and certain discussions which will not be in the interest of the fishery or in the interest of the Province and the Dominion. It is rather unusual, but it was accepted by the government that this treaty would be referred to a Committee for consideration. I think it was made plain; but on the suggestion of the Leader of the Opposition a day or two ago it was agreed that this treaty would be submitted to the Committee for consideration. The Committee has had its discussion. I have heard speeches here to-night that do not deal with the advantages of the treaty, speeches that could well have been made in the House of Commons or on the hustings. Now, if my friends from British Columbia are prepared to go to British Columbia and discuss this matter on the hustings, well and good; but my object in speaking now is that I have followed this matter for some years, and I have been in provincial politics and Dominion politics for some time; there has been a great desire on the part of our people in British Columbia who have seen this fishery, from year to year, being destroyed through methods and means which they could not control—and it has been the desire of this government and of other governments to seek a treaty of this character whereby an international commission of scientific men would undertake to reestablish this fishery. Now, this question of American control or Canadian control I do not think comes into it at all. We in Canada go about the world and talk about our International Waterways Commission. We set it up as an example to the world of how two nations can determine problems in which they are both interested; and I say, in regard to this problem, that it is one of the great problems existing between these two nations. We have to-day a treaty that means friendly cooperation, friendly development; that will restore this fishery, we hope. Personally, I think it would be a great mistake to follow the suggestion of my friend from Prince Edward Island who is far away, probably, from the interests we are considering. We are anxious to see this fishery reestablished. I think this Committee has sufficient information before it in the Bill itself, and the knowledge which we all have of the relationship between these two countries. It is desirable, where there are international problems developing between us, that we should work them out on what seems to be a fair and equitable basis. The treaty is one that is better than any other suggested heretofore. In regard to the division of the catch, that is, I think, satisfactory. At least, I am so advised



by those who have been interested in the catching of the fish and in the curing of them in the province of British Columbia. And we know that it is not confined to British Columbia, because the stocks of British Columbia packers are sold generally throughout Canada, and the people of Canada are generally interested in this industry. I, personally, would be very much opposed to see this matter referred back and not dealt with at this session. I think that it should be dealt with. Personally, I think this treaty is acceptable to our people of British Columbia, and they will be greatly disappointed if it is not accepted.

Mr. McRAE: I think some of the remarks of the hon. Doctor from East Kootenay can be, in part, accounted for by the fact that he has not been attending this Committee. I do not think there is any question that there has not been in the last few days when this Committee has met anything but a desire on the part of every member from British Columbia to effect a treaty. The hon. Doctor has referred to the International Waterways Commission. I want to refer him to that map, and if he sees any semblance between this treaty and the International Waterways Commission to which he has referred, he is looking through glasses different from mine; because I want to say that this is an innovation in treaties in this country in which we give to our American neighbours an equal say with us in the domination of the propagation of the fisheries of the Fraser River which as the Doctor has said is one of the great natural resources of this country. I say that the Doctor has not looked at that map when he makes that statement. Some of it is in your own constituency, I imagine, Doctor. We are sitting here and considering this matter. We have made some speeches and had some talks, and you, Mr. Chairman, have been kind enough to accord some latitude. I want to say this, that I am prepared to go on the stump any place in the province with the Doctor, or any place else and defend the rights of Canada first, last and all the time.

Hon. Mr. KING (Kootenay East): You are not stating it fairly.

Mr. McRAE: I am absolutely prepared to stand up and to say that this Commission which you are here advocating is a Commission which will take into our province three of the strongest Americans and place them against the three men that you know, and I know, will form a part of this Commission.

Hon. Mr. KING (Kootenay East): We will have as good men as their.

Mr. McRAE: These Americans will have a say in 100,000 square miles of our territory. That is not the kind of patriotism I stand for, or that I am afraid to get on the stump in my province and discuss. There are about a hundred thousand square miles of our country to be considered. I have no fear that the people of British Columbia will realize what this treaty actually means to them, and when they do there will not be any question as to where they stand. Already the information is going through the press and other sources. The whole trouble is that this treaty has been negotiated without due consideration on the part of the government of British Columbia and on the part of my friend the Doctor. If you knew what you were actually signing, or what you were committing your Ambassador to sign, you never would have done it. I am one of those Canadians who have always felt that we were getting the short end of our own status, and I am sorry indeed that in this new treaty we must take issue with a thing of this kind.

The CHAIRMAN: Article IV reads as follows:

#### ARTICLE IV

The International Salmon Fisheries Commission established pursuant to Article II of this Convention is hereby empowered, between the first day of June and the twentieth day of August in any year, for the whole or any part of the aforesaid period, to limit or prohibit the taking

[Mr. W. A. Found.]



of sockeye salmon in respect of all the waters described in Article I of this Convention, or in respect of Canadian waters and waters of the United States separately, provided, that when any order is adopted by the Commission limiting or prohibiting the taking of sockeye salmon in regard to Canadian waters or waters of the United States separately, it shall extend to all of the Canadian waters or waters of the United States to which this Convention applies, and Provided further, that no order limiting or prohibiting the taking of sockeye salmon adopted by the International Salmon Fisheries Commission shall be construed to suspend or otherwise affect the requirements of the laws of the Dominion of Canada or of the State of Washington as to the procuring of a license to fish in the waters on their respective sides of the boundary line. Any order adopted by the Commission limiting or prohibiting the taking of sockeye salmon in said waters during said period, or any part thereof, shall remain in full force and effect unless and until the same be modified or set aside by the Commission. The taking of sockeye salmon in said waters during said period in violation of the orders of the Commission adopted from time to time is hereby prohibited.

Mr. McRAE: Mr. Chairman, in the very first sentence, as I called to the attention of the Committee earlier in the day, it says "The International Salmon Fisheries Commission." This is an example, as I said before, of the amateurishness in drawing this treaty. The word "Pacific" has been left out as was mentioned in Article II.

The CHAIRMAN: That is simply a question of language; I do not think it affects it very much; it means the same thing.

Several hon. MEMBERS: Carried.

Mr. McRAE: This carried stuff is pretty easy, but this is limited, as I read it, to the close season from June 1st to August 20th. (To the Witness) I think you should offer some explanation on that, because we seem to be taking a much longer close season. If the Commission wishes to close for a longer season, it is limited to the period from June 1st to August 20th. I take it the sockeye season on the Fraser starts in on July 1st. I think it is considerably later, and this clause would indicate a definitely limited period. I think you should explain to the Committee how these dates were arrived at, and why the powers of the Commission were limited to those dates.

The WITNESS: The pink run of salmon reaches its height about from the 20th to the 25th of August, and quite obviously that was a real problem. Those who are familiar with the situation out there in which we had various runs of salmon occurring and somewhat overlapping know that it is almost impossible fully to regulate one fishery without seriously interfering with another.

*By Mr. McRae:*

Q. When do the sockeye start to run?—A. Usually around the first of July, in importance.

Q. And reaches its height about the 20th of August?—A. Its height is usually passed before this; the fishing is pretty well over.

Q. But it does vary in years, somewhat?—A. Both ways.

Q. But the power of the Commission is limited to those dates to regulate the fishing, and after that they have no power to regulate?—A. Quite so.

*By Mr. McQuarrie:*

Q. Why was it provided that Canadian waters and American waters might be closed separately?—A. For the very obvious reason that the treaty, in Article VII, provides that we are to get 50 per cent of the fish. If that is to be done it is not such a problem, although the Commission, whoever com-

[Mr. W. A. Found.]

poses it, will have my sympathy. It is not such a problem as it might seem on the face of it. The fish are all caught in a comparatively limited area. We are in the position, with the means of communication now available, to decide that it is not impossible at all for the Commission to arrange that it will have the information that they need as to what the catches are in the different areas so that if it is developed that the United States is getting considerably more than Canada—or vice versa—the fishing in one area or the other can be closed for a sufficient time to regulate it.

Q. The idea is that, in order to regulate and bring about this 50-50 division, the fisheries will be alternately closed on one side or the other, as the case may be? I want to submit to you—we will say, the Canadians are getting behind, as they usually do in matters of this kind, having in view the geography and the question of the priority of the American fishermen—it would require the Americans to close down their traps and seines, and in that event, could not the Americans say “The escapement of fish is ample in the Fraser river for propagating purposes; we object to closing down because the Canadians have not enough equipment to catch their 50 per cent”? Is that not one of the things which might come up?—A. That may be one of the main difficulties with which the Commission will have to deal, but the federal government of the United States undertakes by this treaty to see that the regulations provided by the Commission are carried out.

*By Mr. McQuarrie:*

Q. They would take some time to make an order?—A. Of course, it would not.

Mr. MacDONALD (Cape Breton South): This article furnishes to me the real difficulty of this treaty. This treaty is not self-operative at all; it will require legislation. When you have this treaty signed you must have it fortified by legislation of this House and of the United States Congress; then you must put teeth in the regulations of this Commission. That is, our House here will have to pass regulations enforcing and affixing penalties for violation of their orders. For instance, the close season for salmon: is there not some difficulty right there? As a matter of fact, legislation cannot be passed this year. I do not think there is any intention of doing it, so far as this treaty is concerned, and it will have to go over until next year.

The WITNESS: Why?

Mr. MacDONALD (Cape Breton South): It has not been passed by the United States Senate. It will not come into force until it is passed by them, and legislation is passed by this House. Is it the intention of the government to introduce legislation at this session?

The WITNESS: I presume so.

Mr. MacDONALD (Cape Breton South): An order of the Commission issued under this treaty is worthless. They cannot enforce it. Supposing without legislation this Commission orders closed traps; can you enforce it?

Mr. NEILL: Yes, we have power to enforce it.

The WITNESS: Mr. Chairman, we must have enabling legislation.

*By Mr. MacDonald (Cape Breton South):*

Q. Is it the intention of the government to introduce it this session?—A. I can only say that I hope so.

Mr. McRAE: I imagine that we have to have a vote on this treaty. We must have some money to do something with, and I take it that it is not in the supplementaries as yet.

[Mr. W. A. Found.]

*By Mr. McQuarrie:*

Q. Would it not take some time to get an order passed by the Commission when one of them at least will be in Washington, another one will probably be here at Ottawa, and some of the others will be in the State of Washington and the Province of British Columbia?—A. One of the conditions of strength of this treaty is the quickness with which the Commission can act to meet a requirement. It will be necessary for the Commission to so arrange that regulations can be made without delay. (Reading):

Each High Contracting Party shall be responsible for the enforcement of the regulations provided by the Commission in the portion of their respective waters covered by the Convention, and to this end they agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention, with appropriate penalties for violations thereof.

Without that legislation the whole thing is useless.

*By Mr. MacDonald (Cape Breton South):*

Q. Would we not have to follow the issuance of the orders?—A. No.

Q. Do you think that Parliament here will pass a penalizing law to give those people the power of penalization?—A. Yes; that is what this treaty provides, that a breach of these orders becomes a breach of the law.

*By Mr. McQuarrie:*

Q. That is what I was concerned with. I was trying in my mind to picture the Americans catching too many fish with their traps, and after a few days it is found necessary to stop the fishing on the United States side for a little while. How can that be done hurriedly with the Commissioners scattered around as they will be? That is not a matter of regulation at all; it is a matter of an order of the Commission. How is an order of that Commission to be obtained quickly?—A. My answer to that question was that the Commission must so arrange its affairs that it will be in a position to deal promptly with any question, even if the Commission has to be there while the fishing is going on.

Q. That is not reasonable—to expect the Commissioners to be out there during the fishing season.

The CHAIRMAN: They could appoint somebody to represent them.

Mr. McQUARRIE: They cannot do that.

The CHAIRMAN: Why not?

Mr. McQUARRIE: There is no provision for that. There will have to be two Commissioners from Canada and two from the United States to pass on that order. How are you going to get any such order as that in a hurry? Do you not think, as a matter of fact, it would have been much better to have provided for a specific close season, say for the whole month of July?—A. No, I do not, because those who have had experience in the matter know that you can never tell when a run of fish is going to be on.

*By Mr. McRae:*

Q. Why limit it at all? Why not leave it up to the Commission?—A. That covers the main portion of the sockeye fishing.

Q. Why limit it at all?—A. Because the Commission is not being given power to deal with anything but the sockeye salmon. The various other fisheries would be interefered with if there was not some limitation.

*By Mr. McQuarrie:*

Q. I suppose you have read the report of Professor Cranton, the man who made a complete survey and investigation of the Fraser River watershed some years ago?—A. Yes.

[Mr. W. A. Found.]



Q. His recommendation was that it would be quite sufficient if the fishing for sockeye in Puget Sound and on the Fraser River should be prohibited during the month of July in each year, which would give the first run of fish which would naturally go up to the head waters of the Fraser river a chance to get up there, and that would be all that would be required to restore the Fraser river fish.—A. Yes.

The CHAIRMAN: What about our recommendation that it be closed for five years?

Mr. McQUARRIE: When that recommendation was made—we have heard many fishermen and they have practically all agreed to the closing for the month of July for a period of five years. Another thing I wanted to ask was, how did you come to arrive at that sixteen year period?

*By Mr. Neill:*

Q. I would like to ask a question in connection with this clause which says "they agree to enact and enforce such legislation." Supposing the Commission decided to close the sockeye fishing in these waters for a month, say July, they would make an order to that effect. Have we not got sufficient machinery in our Fisheries Act now to prohibit the catch of sockeye salmon in our waters, and the Americans in their waters, without any special legislation?—A. I am sure that the situation there is clear. If someone violated the treaty without legislation, you would have difficulty there.

Q. Could you not stop the fishing of sockeye salmon in Canadian waters without further legislation?—A. We could under the Fisheries Act.

*By Mr. Brady:*

Q. I would like to ask one or two questions on this very difficult clause. It mentions that the Commission shall have the right to limit or equalize fishing during certain periods, and the waters are divided into three headings, first, all the waters under the treaty which means, I presume, the United States and Canadian waters; secondly, the Canadian waters separately; and thirdly, the waters of the United States separately, provided that when any order is adopted by the Commission, limiting or prohibiting the taking of sockeye salmon with regard to the Canadian waters or waters of the United States separately, it shall extend to all of the Canadian waters and waters of the United States to which this convention applies. You made a statement that in order to get a 50-50 division of fish undoubtedly penalties would have to be imposed on the fishermen to catch the fish on both sides. Is that right?—A. Legislation providing penalties would have to be obtained.

Q. Then we would take, for example, a certain part of Canadian waters with a very large run of salmon and certain other parts of Canadian waters with a limited run of salmon, while on the other side of the international line, the United States side, it was found that there was not such a very good run. But it so happened that at this particular period, in this particular division of Canadian waters, you had a very large run of sockeye, and it so happened that on the Canadian side we were getting 60 per cent of the fish, and the other side 40 per cent. Does that mean that these fishermen on the other division of Canadian waters must stop fishing just because you close down this area to make the other side pick up the 50-50 division?—A. Yes.

Q. In other words, the fishermen themselves are penalized when they may not be making an ordinary living; they are under that terrific difficulty that at any hour of any period the word comes to cease fishing in order to pick up the 50-50 division. If I am wrong, please correct me, but I wish to get that clear.—A. Well, you are not wrong if your hypothetical premises would become effective. The fact is, however, that year after year the United States have

been getting 70 per cent and upwards and the Canadian fishermen have been getting 30 per cent and downward.

Q. What does that mean, sir?—A. That means that the likelihood would be that the closing would be not on the Canadian side, but on the American side, and when it is made it will apply to all the United States waters.

Q. Well, look, sir; is that essential? Your law here regards the Canadian waters separately and the United States waters separately, and the whole treaty waters combined. Is it really essential that that should be put in in order to get that fifty-fifty provision? Could it not be possible that instead of having three heads you could have one?—A. I do not know that I can make it any clearer. I suppose, Mr. Chairman, that theoretically it would be possible to do it say there are fifteen traps catching fish. We might take these three divisions and not let them catch fish at all. That might be one way of doing it. But it was conceded that this would be a fair and a workable way—likely the most workable. I do not suppose that there is any system that could be devised that some fault could not be found with under certain circumstances.

*By Mr. McRae:*

Q. Mr. Chairman, I think Mr. Found quite correctly states in effect that this clause is going to be, I would say, a continuous source of worry; but there are one or two questions I would like to ask, because I see in this case the state of Washington is interested for the first time in the treaty. Earlier in the afternoon I read a statement by Mr. Coolidge, then President, as to the rights of that particular state in the matter. Now, I take it, Mr. Chairman, that this Commission has no control over the licenses in the state of Washington issued by the States? Is that correct?—A. That is quite correct.

Q. Then I take it that those licenses will come under state regulation, which, so far as this treaty is concerned is an assumption—it is all we can claim—that they will be in harmony with the wishes of the Commission?—A. What is provided there, Mr. Chairman, is that to the extent to which the Commission permits fishing to be carried on that fishing will be carried on the United States side under the laws of the state of Washington; to the extent to which fishing will be carried on the Canadian side, it will be carried on as at present under the laws of the Dominion of Canada.

Q. But is there any direction, or anything to indicate, that the state of Washington fishing requirements will be in keeping with the findings of this Commission? I have in mind that when a license is given it gives certain dates for certain fish, and rights and privileges. Now, what I am anxious to know, and what I am sure the Committee is anxious to know, having regard to the important part Washington plays in this matter, is what, if anything, there is to harmonize Washington State permits with the regulations of the Commission?—A. The obligation of the treaty.

Q. Just the obligation of the national government?—A. Yes.

Q. But you will see here that it says that any order adopted by the Commission limiting or prohibiting the taking of sockeye salmon?—No, I will go back a bit further:—

Provided further, that no order limiting or prohibiting the taking of sockeye salmon adopted by the International Salmon Fisheries Commission shall be construed to suspend or otherwise affect the requirements of the laws of the Dominion of Canada or of the State of Washington. . . .

And I want to point out that the Dominion of Canada is the sole contractor on our side in this treaty and in the fishing regulations as well.

. . . as to the procuring of a license to fish in the waters on their respective sides of the boundary line.

[Mr. W. A. Found.]



A. Well, Mr. Chairman, I think that is quite clear. It means this, that the Commission will not have the power of licensing who shall fish, but the state of Washington, in issuing licenses, will be required to issue licenses that fishing must be carried on under them in conformity with the law—

Q. Of Washington?—A. —of which this will be a part. The very same with us. Our licenses require that fishing shall be carried on in compliance with the law or regulations that may be established.

Q. I do not know that I made my point clear. The point I am making is that there might be a conflict between the decision of the Commission and the regulations laid down by the state of Washington, and I do not see that in this treaty there is any provision for harmonizing them. On the contrary, there is a statement that the laws of Washington shall not be interfered with by the regulations of this Commission?—A. Mr. Chairman, I do not think that there can be any doubt about that. The legislation that will necessarily be enacted before this treaty can be made effective, as provided for by section A will become part of the law applicable to the state of Washington; therefore, the licenses issued by the Fisheries Commission of the State of Washington will have to be in conformity with that legislation.

Q. I would think, Mr. Chairman, that is quite right; but I do not see that there is any assurance of that in the treaty. Now, I notice that the treaty provides for a violation of their order. As Mr. Found has said there must be legislation enacted here, and, I presume, this contemplates that legislation will be enacted in the state of Washington as well to prohibit a violation of this treaty. In other words, we get back to making Washington a part of this treaty whether they want to be a part or not.—A. I do not know about that. The treaty here provides that the federal government of the United States must see to the enforcement of the regulations of the Commission.

Q. Now, Mr. Chairman, we will take Mr. Found's statement on that. But I want to point out something that came up earlier. Mr. Neill this afternoon was referring to Article No. 6 which says that no action by the Commission under the authority of Articles 4 and 5 of this convention shall be effective unless it is affirmatively voted for by at least two of the Commissioners for each country. Now, I take it that any change in the regulations in Article No. 4 which was unfavourable and not to the liking of the state of Washington or to the American side of this Commission would have to be carried before it could be made effective by the votes of two of their own members. That means, I take it, Mr. Chairman, that with three of their own members they will always be able to control the situation absolutely.

The CHAIRMAN: No; two Canadians and two Americans.

Mr. McRAE: It must have two Americans voting for it. Here is what it says:—

Be effective unless it is affirmatively voted for by at least two of the Commissioners from each country.

That is four Commissioners, is it not? Now, it is only fair to presume that we are going to have American viewpoints, and Canadian viewpoints on this. Naturally, the three votes of American viewpoint will be American. We will assume that. To carry any change there must be two votes from Canada as well, making five votes out of the six. I submit to this Committee that there is not a chance on earth of ever getting Articles 4 and 5 changed. But this very important Article, No. 3, affecting entirely Canadians, can be changed by a small majority. I wonder how that is?

The WITNESS: It takes the same in as far as Canada is concerned.



*By Mr. McRae:*

Q. But why, if that is true—why limit this Article, No. 6, to paragraphs 4 and 5—why was No. 3 not included—that is the Canadian side of this treaty?—A. Because 4 and 5 are regulations, and Article 6 deals with that.

Q. Is it not true that Article 4, as we have shown regarding the state of Washington—Article 5 we will come to in a few minutes—deals with the mesh which affects the seines and traps in use in Washington and which it is going to take five or six members to change. There is not a chance of making a change in those two.

The CHAIRMAN: That applies to Canada.

Mr. McRAE: It does not. I beg your pardon. Articles 4 and 5—Article 4, as we have shown, deals entirely with the state of Washington fisheries; Article 5 deals with meshes, by which is meant traps and seines employed only in Washington; while Article 3 deals with the great Fraser River watershed.

Mr. McPHERSON: Would not two from each side carry any change?

Mr. McRAE: I can understand that where there are two from each side there will be three from one side and two which makes five. I am saying to you that the people of Puget Sound are very selfish people indeed. They have safeguarded their traps and their seines.

Mr. McPHERSON: Would not two on each side make the change whether the third one did it or not?

Mr. McRAE: You can be assured that where there is a controversy you will have two on one side and three on the other, making five, so that five out of the six Commissioners would have to vote to change the mesh on a seine or a trap on the American side.

Mr. McPHERSON: Why would five have to vote?

Mr. McRAE: They would do it. It would require two Canadians and it would require three Americans, or it would require three Canadians and two of the Americans.

Mr. McPHERSON: Would not two of each side do it?

Mr. McRAE: Two would do it; but it will never work out, because when the issue involves traps and seines we can depend on it that our Canadians will be opposed to it.

The CHAIRMAN: Then the regulations will be changed.

Mr. McRAE: The regulations will not be changed. The two-inch wire netting on traps and the two and one-half inch netting on the Puget Sound seine will last indefinitely under this treaty, because it will never be changed.

The CHAIRMAN: That is the way they are now; it will not make it worse.

Mr. McRAE: I hope it will not make it any worse; nothing escapes to-day.

*By Mr. McQuarrie:*

Q. Have you laws regarding British Columbia licenses?—A. British Columbia does not issue any licenses.

Q. Is it stopped now?—A. Since 1912, ever since the Privy Council decided in 1913. Those are taxation licenses, not fishery licenses.

The CHAIRMAN: Clause 5 reads:

In order to secure a proper escapement of sockeye salmon during the spring or chinook salmon fishing season, the International Salmon Fisheries Commission may prescribe the size of the meshes in all fishing gear and appliances operated in the waters described in Article I of this Convention which are frequented by sockeye salmon.

[Mr. W. A. Found.]

Whenever the taking of sockeye salmon in said waters during said period between the first of June and the twentieth of August in any year is permitted under the orders adopted by the Commission in respect of Canadian waters any fishing appliances authorized by the laws of the Dominion of Canada may be used in such waters by any person thereunto legally authorized, and whenever the taking of sockeye salmon in said waters during said period is permitted under the orders adopted by the Commission in respect of waters of the United States, any fishing appliance legally authorized by the State of Washington may be used in such waters by any person thereunto authorized by that State.

Mr. McRAE: I want to say that that clause might just as well be omitted from the treaty. It says that while they can provide a mesh it leaves it alternatively to the Canadians or to the state of Washington as to what the mesh shall be; and although it does prescribe the mesh, it has been shown that it cannot be changed except by their wishes. I take it that there is no territory that this Commission can function in at all; and why put that clause in? This clause provides for the regulation of Canadian waters and it shall govern and the regulations authorized in the state of Washington shall govern; but there is no place where this Commission can say anything about meshes; therefore, why put the clause in at all?

Mr. NEILL: Except for the four-six vote.

Mr. McRAE: It does not say that.

The WITNESS: You are dealing now with Article 5.

Mr. McRAE: I do not see that the first part of that is applicable.

Mr. BRADY: As regards the size of the meshes, the Commission is given power to fix the size so as to enable the escapement of such of the sockeye as may be running before the time when the Commission's regulations would function. The salmon fishing being carried on then is mainly spring salmon. So there is no reason why there would not be a mesh used to enable the sockeye to escape.

Mr. McRAE: It says that the authorities of Canada and Washington shall govern notwithstanding.

Mr. NEILL: No, it does not. It says fishing appliances; but it does not say you cannot regulate a mesh.

Mr. MacLAREN: I would like to ask Mr. Found this question: what does he include under the term "fishing appliances"?

Mr. NEILL: Net and trap.

Mr. MacLAREN: I want Mr. Found to answer that question and not Mr. Neill.

The WITNESS: Anything that is a fishing appliance.

*By Mr. MacLaren:*

Q. What is included in that?—A. Anything that would be used for catching fish at the present time; catching salmon.

Q. Does it include nets?—A. It includes gill-nets.

Q. Does it? Say yes or no.—A. Yes.

*By Mr. Brady:*

Q. I would like to ask the Deputy Minister this question on that point; is it true that under this treaty, and under this Article fishing with traps and seines by the fishermen of Washington State will be continued on the same scale as previously?—A. That will depend entirely on the Commission's regulations.

*By Mr. McQuarrie:*

Q. What about other varieties of fish during the close season for sockeye? There will be other fish running?—A. Not to any considerable extent; and that is the reason why the time is limited during which the Commission is to take full control.

Q. Well, does not the Cohoe season overlap the sockeye salmon?—A. To some extent; but not during this period.

Q. That is, there would be no Cohoes?—A. I would not say there would be no Cohoes; but there would not be a large run.

Q. Cohoe fishing also will be prevented during that period?—A. To the extent that may be necessary to protect the Sockeye.

Q. When the Sockeye season is prevented, the Cohoes will also be prevented?—A. To the extent that will be necessary to carry out the regulations provided by the Commission for the protection of the Sockeye.

Q. If Sockeye fishing is prevented then, naturally, and necessarily, Cohoe fishing will also be prevented.—A. That is why other fishing is prohibited?

Q. Yes.—A. Quite so.

Mr. McRAE: There were two more questions in regard to that which I wanted to clear up. As I understand it, this Commission exercises no power whatever over the traps and seines in the state of Washington; that is, that the state of Washington does not propose that this Commission will have anything to say about trap and seine fishing in the state of Washington?

The WITNESS: Oh, yes. It won't have anything to say about to whom licenses will be granted; but it will have everything to say as to the extent to which fishing will be carried on under those licenses.

Mr. McRAE: Only to the extent of fifty-fifty. The fact that Americans will continue as they do to-day to catch ninety-three per cent of the fish with traps and seines, the Commission, it is presumed, will not have anything to say in directing how those fish in American waters will be caught, other than a direction which will result in this fifty-fifty division.

The CHAIRMAN: Could they not limit the number of traps?

Mr. McRAE: No, they cannot limit the number of traps; but they can limit the total take to fifty-fifty. How that will be worked out remains to be seen. It does not propose that this Commission will dispense with traps or seines in the state of Washington; as to that, it will not be in their power to say.

The WITNESS: I think that is right.

Mr. NEILL: They can regulate the mesh?

The WITNESS: They can regulate the mesh.

*By Mr. McRae:*

Q. I submit, Mr. Chairman, that Article 5 is largely non-operative, because it specifies that the regulations of the state of Washington and the Dominion of Canada shall govern all appliances, and I submit that appliances are nets, and nets that require prescribed meshes. To-day in British Columbia there is no prescription of meshes; and, consequently, if this treaty goes into effect, so far as the Fraser river is concerned this year there is no limit to the mesh. Five and three-quarters was the limit, but this year that has been removed. Now, if this Commission comes in, British Columbia fishermen can fish with five and three-quarters, or four and one-quarter, or any other mesh they want to use. So, I say again that this Article, No. 5, is largely abortive.—A. I think there is a little misunderstanding, that may be cleared up. What the treaty has in mind is to enable the Commission to allow a proper escapement of fish. It does not



matter a pin so far as the future of the fishery is concerned whether a fish is taken out of the water by a trap or a gill net; a fish is not going to reproduce if it is caught; and the Commission will be given power to limit the quantity of fish to an extent to enable such escapement of fish to the spawning grounds as it deems necessary.

*By Mr. Brady:*

Q. I am not sure whether it is limiting the size of meshes. Does that really mean that the present size of meshes can be changed, altered, as soon as this Commission starts in; that there will be a radical change made?—A. How can I say what a Commission that has not yet been appointed is going to do?

Q. Of course, it specifically states here that the Commission may prescribe the size of the meshes in order to allow this escapement of salmon. Naturally, if that is true, I want to know if there will not be quite a big change in the present nets and meshes, or would there be some change?—A. Now, let us be clear on that. The method of fishing on the United States side, it has been said, is largely trap fishing. Now, our method of fishing is largely gill-net fishing.

Q. Would a change be made in the meshes?—A. Not likely. Our fishermen are fishing for spring salmon and use nets with which they may catch spring salmon to the best advantage.

Q. Really, then a change in the nets would refer more particularly to the United States waters?—A. That would be the effect of it.

*By Mr. McQuarrie:*

Q. As to other varieties of fish—the Pinks, for instance—will they be covered by the size of the mesh? Or will fish like Chums and Pinks be also prohibited when the fishing for Sockeye is prohibited?—A. If the prohibition in the fishing of Sockeye necessitates the removal of nets from the water, then, of course, the catch of other kinds of fish will be affected to that extent.

Q. So, it may be that all fishing—all salmon fishing will be prevented during those prohibited times?—A. That was the reason for limiting the control of the Commission to the period that is mainly affected by this run.

Q. So you would have the Chums and the Pinks and the Cohoes in the same class as the sockeyes so far as prohibition is concerned during the period that the Commission decides shall be a close season for Sockeyes?—A. But the fact is that they are not there at that time in any considerable number.

Q. It will be so with those fish which are there?—A. Oh, yes.

The CHAIRMAN: Clause Six.

*By Mr. McRae:*

Q. I think we have discussed this fully. It is not necessary to do much more with it. This clause protects 4 and 5 which entirely occupy the consideration of the state of Washington. Now, I want to call the attention of the Committee and call the attention of Mr. Found to this point, and I want to ask him if this is correct: that it will require two from each country to change Articles 4 and 5; but so far as Article 3 is concerned a majority rules; is that correct?—A. Oh, yes. There is no regulation.

Q. That being the case, I want to point out to this Committee that three Americans on the Commission and one Canadian Commissioner make four, and they can determine definitely every development that is going to be carried on in the Fraser River watershed. I leave it to this Committee to say whether that is a reasonable distribution, and whether this clause should not be enlarged to include clause three as well as clauses four and five which our American friends have taken care to see shall well protect themselves?—A. I do not know what answer I can give.

Q. You agree, Mr. Found, to this: it takes two of each country to change the regulations in Articles 4 and 5, but in Article 3, which does not provide the same safeguard, the usual practice of the majority will govern?—A. That is true. It is dealing with an entirely different thing.

Q. Now, let us stop there. That being the case three American commissioners on the Commission and one Canadian will create a majority which can decide what that Commission is going to do—under Article III?—A. Yes.

*By Mr. Brady:*

Q. Would it not be a reasonable thing to include Article III with IV and V and cover it by the same vote?—A. My answer would be only an opinion. I can scarcely conceive that a Commission which is seeking to build up a fishery would finally, after canvassing the situation, have very much division of opinion on it, as to what would be best to do.

*By Mr. McRae:*

Q. Why should that apply to one side of the line and not to the other?—A. It applies to one set of waters; it applies to reproductive waters; the other waters are fishing waters.

Q. Then I take it that these fishing waters which are, roughly, 50 per cent American and 50 per cent Canadian, and which we would all like to see with uniform fishing regulations, require a vote of two from each country to change regulations which we would very much like to change, while the propagation area, the Fraser River watershed, into which we invite these three American commissioners, lays itself open to these Americans exercising their will on territory entirely in our own country.

*By Mr. McLaren:*

Q. Mr. Found, if your reasoning is correct it would be safe to call for an unanimous vote. That would show that your reasoning is open to question on that point. Do you think that Article III would be improved by calling for a vote of two and two?—A. As a direct question, I cannot conceive in practice that it would. If the Commissioners are earnestly seeking to do that which will give the best result, what would likely happen would be that necessarily some experimentations would be required with different methods before the method was adopted which would be largely applied. However, I can only give you my opinion on that.

Q. We must assume that they are earnestly seeking to do what is right under that section?—A. Quite so.

Q. And under all sections?—A. Yes.

Q. Therefore why apply it to only one section and not refer to these individuals on the other side? In one case it is safeguarded; in the other it is all attributing a great deal more of this "earnest seeking after truth." Would not a serious difficulty arise by calling for a vote of two and two, under Article III?—A. I am not aware of any.

Q. Do you think it would be a prudent course to pursue to ask for two and two, from our standpoint, to insure that there should be at least two Canadians siding with one point of view?—A. Again I say that I do not think it would be any improvement. You are not dealing in any one interest, a matter of self-interest or country interest, but in the interest of the fisheries, and when you come to build up this matter, and do a reproductive job in the way it can best be done, there is not much room for a division there.

*By Mr. Brady:*

Q. I would like to ask with reference to bringing Article III in with IV and V. "The Commission shall have the right to stock the waters with sockeye

[Mr. W. A. Found.]

salmon by such method as it may determine." Supposing it were decided to take spawn from the outer stretches of the Skeena and bring them down to the Fraser; there might be some objection there on the part of some of the Canadian fishermen who would say, "Let us look after the Skeena and make it 100 per cent"?—A. The Commission has no authority whatever over the Skeena watershed.

Q. Has not the Commission the right to take spawn from any place?—A. It certainly has not.

The CHAIRMAN: Article VII reads:

#### ARTICLE VII

Inasmuch as the purpose of this Convention is to establish for the High Contracting Parties, by their joint effort and expense, a fishery that is now largely non-existent, each of the High Contracting Parties should share equally in the fishery. The Commission shall, consequently, in regulating the fishery do so with the object of enabling, as nearly as they can, an equal portion of the fish that is allowed to be caught each year to be taken by the fishermen of each High Contracting Party.

Mr. McRAE: There is one thing, Mr. Chairman, about which we have had some discussion as to how it might be worked out. I think we are all appreciative of the difficulty. It seems to me that the article itself anticipates this because it says that the "High Contracting Parties should share equally." Why not say "will share equally"? Why not make it definite? I think this is nothing more than a pious hope for the best, and I submit that it will be difficult to enforce, and will lead to serious controversies between the fishermen of Puget Sound and British Columbia. I think this should read that they "shall" share equally in the fishing. Of course they should.

The WITNESS: It is "shall" and not "should."

*By Mr. MacLaren:*

I want to ask if under this treaty it is possible for the Americans to take the spawn from the Fraser River and plant them in some of the American streams?—A. No. This Commission has no jurisdiction over anything but the waters covered by the treaty.

Q. Are there no waters on the American side covered by the treaty?—A. No spawning waters.

Q. None that could be made spawning waters?—A. Not that I know of, but if we could enlarge the spawning areas, would it not be a good thing?

*By Mr. McQuarrie:*

Q. What will happen if the Americans get more fish than the Canadians?—A. Well, Mr. Chairman, the duty of the Commission will be to see that they do not. As I said a little while ago, the Commission will have my sympathy. It will be quite impossible to say that we will get 50 fish on one side and 50 on the other. It must be as near as possible that that be done.

*By Mr. Brady:*

Q. I would like to ask a question. "An equal portion of the fish that is allowed to be caught each year to be taken by the fishermen of each High Contracting Party." Now, the fishermen in British Columbia are independent fishermen, who are engaged in catching sockeye salmon.—A. What do you mean by that?

Q. Each man for himself—each man working his own boat.—A. That is true, to a large extent.



Q. You say each portion of the fish allowed to be caught to be taken by the fishermen; how could that possibly be done unless these fishermen pooled their fish? Supposing one man catches 3,000 and another one catches 500. How is that division to be made, so that equity be done?—A. No such equity is contemplated by the treaty, and such a thing would be absurd and impossible. What the treaty contemplates is that the fishermen on the American side as a body will get 50 per cent of the fish.

The CHAIRMAN: (Reading).

## ARTICLE VIII

Each High Contracting Party shall be responsible for the enforcement of the regulations provided by the Commission in the portion of their respective waters covered by the Convention, and to this end they agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention, with appropriate penalties for violations thereof.

## ARTICLE IX

The present Convention shall be ratified by His Majesty in accordance with constitutional practice, and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and it shall become effective upon the date of the exchange of ratifications which shall take place at Washington as soon as possible and shall continue in force for a period of sixteen years, and thereafter until one year from the day on which either of the High Contracting Parties shall give notice to the other of its desire to terminate it.

In witness whereof, the respective plenipotentiaries have signed the present Convention, and have affixed their seals thereto.

Done in duplicate at Washington, the twenty-seventh day of March, one thousand nine hundred and twenty-nine.

[L.S.]	VINCENT MASSEY.
[L.S.]	FRANK B. KELLOGG.

*By Mr. McRae:*

Q. We passed rather hurriedly over No. VIII. The only observation I wish to make with respect to Article VII is this, that in order to make it effective it seems to me that that clause will require the co-operation of the State of Washington in view of their State rights in the fisheries, and I do not think we should place too much confidence in its becoming effective until we are sure of the State of Washington, and of the stand they will take, because State politics play a big game there; there are many difficult problems to contend with, and have been for many years. The State situation in Washington is a very difficult one and one which may go a very long way toward upsetting our calculation with respect to the treaty, unless the State is a party to the treaty itself.—A. Appreciating that very difficulty I think those concerned will read with satisfaction the part of the section which provides “and to this end they agree to enact and enforce such legislation as may be necessary.”

*By Mr. Bissett:*

Q. The Federal Government?—A. Yes.

*By the Chairman:*

Q. They go over the State of Washington, if necessary?—A. Yes.

[Mr. W. A. Found.]

*By Mr. Brady:*

Q. Why was a period of 16 years chosen, because I find the halibut treaty was for five years with the option of renewal or modification? Here it is 16 years.—A. Four cycles. It was felt that by the end of four generations of fish it would be demonstrated whether the treaty was achieving the end in view or not. It was felt—and I think rightly so—that if it is achieving the end in view there will be that force of public opinion behind it in both countries apart altogether from the immediate people concerned, which will maintain it. If it is not achieving its object, I do not suppose anybody will want it.

Q. Would not eight years—two cycles—with the option of renewal meet the requirements?—A. It was thought not. It was thought that four cycles would be necessary to give evidence of what will happen.

*By Mr. McRae:*

Q. There is a great deal in what Mr. Brady says. We enter into a treaty—if we enter into this treaty or one like it—which ties us up for a long time. Sixteen years is a long time to be tied up on a bad treaty. With a good treaty we do not need that long, because if it is working out, public sentiment will be behind it. It seems to me that five years will get you over the first cycle and would answer our needs, and at the same time would leave the country free to discontinue, if during the five years they found the treaty was obnoxious to this country.

Mr. McQUARRIE: With regard to what is going to happen at the end of the 16 year period: as I remember it, it was always the view of Mr. Found and the Department that some provision should be made at the end of the treaty period so that the Americans would not repeat the performances of past years. I notice in the report of the 1922 Commission—what is known as the Duff Commission—it is stated there that Commissioners McQuarrie and Martell dissented from this agreement for the same reason that your departmental representative dissented in 1921, namely that the Washington State representative could not give a definite guarantee that fishing with seines and traps would not be resumed on the same scale as previously. I think it is also set out in another place in this report—and in other reports as well. Now, I would like to ask why you have departed from that principle and why some arrangement was not made as to what would happen at the end of this treaty period, because if it takes 16 years to restore the sockeye run on the Fraser River, at the end of that time the Americans can turn in again with their wholesale and unregulated fisheries and take the major portion of the fish. They would be able then to come in and take 70 per cent or more, as they have been doing lately, and no provision whatever is made in the treaty to cover that eventuality. Why was it that you departed from that principle?

The WITNESS: When you say “you”——

Mr. McQUARRIE: You stated it before.

The WITNESS: I assume that you desire that the agreement under the treaty shall be eternal. That would be the only way to safeguard the situation. I submit the reasons Mr. McQuarrie has given are fairly strong for a 16 year period, so that there would be sufficient opportunity on our part to see the evidence of achievement. Five years, as General McRae will admit, is a very short time to show in such a big thing as this just what the measure of these results is. Four cycles would give some chance to demonstrate that, and I think we can rely upon the good judgment of the public of Canada and of the United States to say that if this treaty is doing something to bring back a pack which will be worth to this continent upward of \$45,000,000 instead of the mere fraction of it that there is now, we should keep it going.

[Mr. W. A. Found.]

*By Mr. McQuarrie:*

Q. You think bringing back the run will be the lesson to the people on both sides of the line, and not the period of time. If the run were to be restored in five years, would that be long enough for this treaty?—A. Quite so.

Q. You say that it will take 16 years to bring the run back?—A. I would not want to say that it would take 16 years or 60 years, but those in the best position to judge it maintain that four cycles would be the least time to demonstrate clearly to all concerned what really is taking place.

Q. I do not ask that this treaty should be made perpetual. I was asking why you departed from the principle you had previously outlined. Why do you use a period of 16 years instead of 5?—A. I have not departed from the treaty at all, but it was felt, after careful consideration, that while the treaty should not be made continuous, it should be made long enough to take effect.

Q. "The Washington State representative could not give any guarantee that fishing with seines and traps would not be resumed on the same scale as previously." They have not given any such guarantee.

The CHAIRMAN: If it lasts 16 years, we get 50 per cent of the catch, now we get only 30 per cent.

Mr. McQUARRIE: That is what the Department always stands out for, some provision or some restriction on the Americans so that they will not proceed to fish in the same manner as they did before.

The Witness retired.

The Committee adjourned until Wednesday, May 29, 1929, at 12 o'clock noon.



107. Doc  
27  
om  
7

*Canada Marine and Fisheries Committee 1937*  
*CAI XL 17*  
*M12*

SESSION 1937  
HOUSE OF COMMONS



STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 1

THURSDAY, FEBRUARY 11, 1937

WITNESS:

Dr. Wm. A. Found, Deputy Minister of Fisheries, Department of Fisheries, Ottawa.

J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
OTTAWA  
1937

## MEMBERS OF THE COMMITTEE

Mr. A. E. MacLean, *Chairman.*

Mr. M. Brasset  
Mr. A. J. Brooks  
Mr. H. E. Brunelle  
Mr. D. A. Cameron  
Mr. S. M. Clark  
Mr. T. Farquhar  
Mr. J. E. Ferron  
Sir Eugène Fiset, Kt.  
Mr. P. Gauthier  
Mr. H. C. Green  
Mr. O. Hanson  
Mr. B. M. Hill  
Mr. J. J. Kinley  
Mr. A. J. Lapointe  
Mr. C. G. MacNeil  
Mr. J. R. MacNicol  
Mr. H. B. McCulloch

Mr. G. W. McDonald  
Hon. J. E. Michaud  
Mr. A. W. Neill  
Mr. R. A. Pelletier  
Mr. V. J. Pottier  
Mr. T. Reid  
Mr. W. F. Rickard  
Mr. W. M. Ryan  
Hon. Grote Stirling  
Mr. J. S. Taylor  
Mr. W. P. Telford  
Hon. S. F. Tolmie  
Mr. W. R. Tomlinson  
Mr. G. J. Tustin  
Mr. C. J. Veniot  
Mr. W. J. Ward

E. L. MORRIS,  
*Clerk of the Committee.*

## ORDERS OF REFERENCE

HOUSE OF COMMONS,  
THURSDAY, January 21, 1937.

*Resolved*,—That the following Members do compose the Standing Committee on Marine and Fisheries:—

### Messieurs

Brasset,	Kinley,	Pottier,
Brooks,	Lapointe ( <i>Matapedia-</i>	Reid,
Brunelle	<i>Matane</i> ),	Richard,
Cameron ( <i>Cape Breton-</i>	MacLean ( <i>Prince</i> ),	Ryan,
<i>North Victoria</i> ),	MacNeil,	Stirling,
Clark ( <i>Essex South</i> ),	MacNicol,	Taylor ( <i>Nanaimo</i> ),
Farquhar,	McCulloch,	Telford,
Ferron,	McDonald ( <i>Souris</i> ),	Tolmie,
Fiset (Sir Eugène),	Marcil,	Tomlinson,
Gauthier,	Michaud,	Tustin,
Green,	Neill,	Veniot,
Hanson,	Pelletier,	Ward—35.
Hill,		

(Quorum 10)

*Attest.*

ARTHUR BEAUCHESNE,  
*Clerk of the House.*

*Ordered*,—That the Standing Committee on Marine and Fisheries be empowered to examine and inquire into all such matters and things as may be referred to them by the House; and to report from time to time their observations and opinions thereon, with power to send for persons, papers and records.

*Attest.*

ARTHUR BEAUCHESNE,  
*Clerk of the House.*

MONDAY, February 8, 1937.

*Ordered*,—That the question of the advisability of the Government issuing trap fishing licences in British Columbia waters be referred to the Standing Committee on Marine and Fisheries for study and report.

*Attest.*

ARTHUR BEAUCHESNE,  
*Clerk of the House.*

THURSDAY, February 11, 1937.

*Ordered*,—That the said Committee be granted authority to have printed from day to day or as required, 500 copies in English and 200 copies in French of its minutes of proceedings and evidence, for the use of the Committee and Members of the House; and that Standing Order 54 be suspended in relation thereto.

*Attest.*

ARTHUR BEAUCHESNE,  
*Clerk of the House.*



## REPORTS OF THE COMMITTEE

THURSDAY, February 11, 1937.

### FIRST REPORT

The Standing Committee on Marine and Fisheries begs leave to present the following as a

### FIRST REPORT:

Your Committee recommends: That it be granted authority to have printed from day to day or as required, 500 copies in English and 200 copies in French of its minutes of proceedings and evidence, for the use of the Committee and Members of the House; and that Standing Order 64 be suspended in relation thereto.

All which is respectfully submitted.

A. E. MACLEAN,  
*Chairman.*

## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,  
COMMITTEE ROOM No. 429,  
THURSDAY, February 11, 1937.

The Standing Committee on Marine and Fisheries convened for its first meeting of the session, at 11 o'clock a.m. this day, Mr. MacLean (Prince), presiding as Chairman.

The following named members of the Committee were present:—*Messieurs*: Brooks, Farquhar, Ferron, Fiset, Sir Eugène, Kt., Gauthier, Green, Hanson, Hill, Kinley, Lapointe (*Matapedia*), MacLean (*Prince*), MacNeil, McCulloch, McDonald (*Souris*), Michaud, Neill, Pelletier, Pottier, Reid, Ryan, Stirling, Taylor (*Nanaimo*), Telford, Tolmie, Veniot and Ward.—26.

*Concerned persons present*: Mr. Chas. F. Gooderich, President of the Sooke Harbour Fishing and Packing Company Limited, of Sooke Harbour, B.C.

Mr. L. Claire Moyer, Barrister of Ottawa, as counsel for the above named Company.

Dr. W. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, Head, Western Fisheries Division, Department of Fisheries.

The Chairman stated the purpose of the meeting of the Committee, and read the order of reference setting out the matter to be taken under consideration, as follows:—

*Ordered*: That the question of the advisability of the Government issuing trap fishing licences in British Columbia waters be referred to the Standing Committee on Marine and Fisheries for study and report.

Mr. Neill stated that before going further, he thought the matter under consideration was sufficiently important to have it reported and printed, he would therefore move, seconded by Mr. Reid, that such be recommended to the House.

Some discussion arose as to the advisability of printing the evidence, but motion finally declared carried.

Dr. Found was requested by the Committee to make a statement, giving the history of the fishing industry in the locality under review, which he proceeded to do, further elaborating his statement by the use of maps and diagrams.

The witness replied to numerous questions from different members of the Committee during the course of his remarks, continuing his statement to near one o'clock p.m., the usual hour of adjournment.

The Chairman called the attention of the Committee to the necessity of fixing the number of copies of the proceedings and evidence to have printed, and also the proportion of English copies and French copies, before report was made to the House.

After some discussion, on motion of Mr. Taylor (Nanaimo) it was resolved:—

That recommendation be made to the House that this Committee be granted authority to have printed from day to day or as required, 500 copies in English and 200 copies in French of its minutes of proceedings and evidence, for the use of the Committee and Members of the House; and that Standing Order 64 be suspended in relation thereto.

It being then after the hour of one o'clock, by general consent the Committee adjourned to meet again on Monday, February 15, at 11 a.m.

E. L. MORRIS,  
*Clerk of the Committee.*



## MINUTES OF EVIDENCE

HOUSE OF COMMONS, ROOM 429.

February 11, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock. Mr. A. E. MacLean, the chairman, presided.

The CHAIRMAN: Would you like to proceed, Mr. Neill?

Mr. NEILL: No. I made my statement in the house. If there is anyone here objecting to any of the statement, I would suggest that they give evidence now. I would also mention, Mr. Chairman, that I thought the reference was going to be the question of the government maintaining or permitting traps at Sooke, but I note it is extended to the larger question of permitting traps anywhere in British Columbia. That makes the question a great deal wider and very much more important.

Hon. Mr. MICHAUD: It is along the wording of the resolution, if I remember it correctly.

Mr. NEILL: Yes, but the reference was entirely, I thought, as regards present traps at Sooke, should they be continued or should they not. The minister apparently wishes the whole question of traps anywhere in British Columbia to be gone into.

Hon. Mr. MICHAUD: If I remember correctly I undertook to refer to the committee the matter which you had brought to the house by your resolution, and that is what I think I did—exactly copied the wording of the resolution.

Mr. NEILL: If you wish it extended to the greater scope, I suppose it is all right. It cannot be objected to.

Mr. REID: I would suggest, Mr. Chairman, that it might be advisable if we had a statement from the deputy regarding traps or the history of them, for the benefit of the committee. I am suggesting to the minister that it might be advisable to get an outline of the trap situation before we begin to deal with it. I just leave that to the wishes of the committee.

Mr. RYAN: Was the reference read, Mr. Chairman?

The CHAIRMAN: Just so that it may be in the record, I will read the resolution as presented in the house by Mr. Neill:—

January 14—Mr. Neill—The following proposed resolution: That, in the opinion of this house, the best interests of British Columbia would be served by the government ceasing to issue trap fishing licences in British Columbian waters.

Then the order of reference we read before, that the standing committee be empowered to enquire into matters referred to it. The motion that was referred read:—

That the question of the advisability of the government issuing trap fishing licences in British Columbia waters be referred to the standing committee on fisheries for study and report.

It does not refer to that one section, Mr. Neill.

Mr. NEILL: No. All right.

Mr. RYAN: It seems to be pretty broad.

The CHAIRMAN: Mr. Found, apparently they would like to hear from you.

Mr. Wm. A. Found, Deputy Minister of Fisheries, called.

The WITNESS: Mr. Chairman, I hope the committee will keep in mind that I am speaking entirely extempore and without preparation, as I did not know that I was going to be called upon to make a statement of this kind at this meeting. Speaking from memory, however, I think I can give you the general picture with correctness, subject to modifications possibly in detail.

The salmon fishing industry in that northern Pacific area began in the Fraser River, was carried on on the Fraser River side for a good many years prior to the industry being undertaken on the adjoining State of Washington side. The reason for that was that, as in all industries, as a general thing, production began where it was simplest. The fish were coming right into the Fraser River, and methods of catching them that were ready, that of gill nets, began to be used there as soon as a market for the fish was available; and the extent to which the fishery was carried on for a number of years depended on the demand for the product.

Speaking from memory, fishing began on the Fraser River side somewhere around 1876, and it was not until the late eighties, possibly 1884 or 1886, that fishing began to be undertaken on the United States side,—fishing by gill nets on the State of Washington side. If you will just look at the map here, it will possibly make it a bit clearer. Here is the boundary line (indicating). Here is Vancouver Island, British Columbia, the State of Washington. Here is the boundary line which runs out, which follows the 49th parallel to the middle of the Strait of Georgia, then runs down the middle of the strait, according to the treaty, as the treaty was interpreted by the Emperor of Germany, to whom the matter was finally submitted as to whether it should go down this way (indicating) or down the other side of San Juan Island. He decided it should go down here. Now, the fish coming in here, go up the Fraser River, practically all of them are making for the Fraser River to spawn; and as I said, the fact that the fish were there became quite evident to the people who were living along the Fraser River, and the fishing industry started as soon as the demand for them made that feasible. It was continued for a number of years, the people on this side (indicating) beginning to wonder what they could do about it, as they knew that the fish come in from Juan de Fuca Strait, were in a large measure at least passing through United States waters. The conditions of the waters on the United States side were such as to make gill net fishing, the method that was being followed on the Canadian side, not feasible—quite impracticable, as gill nets are usually successful only where there is a sufficient cloudiness of the water to make the nets largely invisible to the fish. So another method of fishing had to be developed, if the fishing was going to be extended to this side (indicating). Without going into detail, that method was developed, in the first instance, of trap fishing.

Here is a diagram of a trap (indicating). This makes it clear at once. This is a very much more modern trap than was used in those early days. Here is the shore line. This is the water. This is what is called the lead. There are two types of traps. We are dealing here with by far the least dangerous type of trap. There are two types, one the pile driven trap, the other the floating trap. These are all pile driven traps that cannot be moved from place to place. They are all attached to the soil where they are. These dots that you see represent piles driven into the bottom, so that bottom conditions have got to be favourable where these are driven; and the length from shore is usually governed by the depth of the water. The fish coming along, going this way for instance—I should say along these piles is strung webbing of one type or another, usually wire webbing, so that when the fish coming up, making in this way, for instance (indicating), they would strike this side of the leader. They immediately start to follow it along; the shore being there, they would

[Dr. Wm. A. Found.]

start this way to get around that obstruction, and following along the leader they come into what is called finally the heart or pound or spiller of the trap. First they get into what is called the outer heart. There is nothing to prevent them, as you will see. There is the entrance there (indicating). If they were coming from this side, there is an entrance there as well. They could swim around there and come out if they want to; the same thing here (indicating). Then they move around. Of course, the inclination would be for them to go this way (indicating) owing to the shape of the trap guiding them, as it were, always in that direction. They come in here into what is called the heart of the trap, where they could go out this way if they wanted to. But as a usual thing, in their nature they follow on to go into what is called the pot. From the pot they go into each side of the spiller, and it is from the spillers that the fish are taken. I think that is clear enough without going into any detail. That entrance to the pot is that shape (indicating) and sticking out that way. Once the fish gets into that pot, he is not likely to find a way out again; for swimming around, he strikes that (indicating) and comes right around that thing, and so on the other way. So that once they are in the pot the capture is fairly complete. Then to take them from the spiller is a matter of detail that I do not think I need take up the time of the committee on.

*By Mr. Kinley:*

Q. Mr. Found, may I ask if the depth is the only thing that controls the length of the leader?—A. The depth of the water is the main factor in the control of the leader.

Q. The length of the leader is important. You say the fish are stopped by the leader?—A. Quite so.

Q. And the longer the leader?—A. The more fish which are intercepted.

Q. Yes. Is there any restriction of the length of the leader from the trap?—A. With us, no.

Q. No restriction?—A. With us, no. And the reason for that is that it is not necessary. Water conditions usually get off so abruptly, when you go out a certain distance, that it would be impracticable.

Q. What is the depth for practical use?—A. Some of these outside piles—Mr. Goodrich would be able to tell you that easiest. Mine would be a guess.

Mr. GOODRICH: The longest piles we would use would be probably 120 or 125 feet, ordinarily; and I think there would be probably in the neighbourhood of 80 or 90 feet of water.

*By Mr. Kinley:*

Q. What is the depth of the Fraser River along there?—A. Oh, well, you are away from the Fraser River altogether.

Q. Eighty feet is a lot of water.—A. You get into depth there beyond this. These are a comparatively short distance from shore when you are standing looking at them, although they are fairly long. You have very different conditions here to what you have on the Atlantic coast. On the whole Pacific coast it is a matter of getting an anchorage rather than keeping off shallows.

*By Mr. MacNeil:*

Q. What is the size of the mesh?—A. The size in the leader, you mean?

Q. Yes.—A. Six inches in this leader. Most salmon, most fish could get through—a lot of fish, at least could get through the leaders; but that is not so important as it sometimes would seem to be, as fish seeing an obstruction will usually follow along to go past that obstruction unless they are cornered.



*By Hon. Mr. Tolmie:*

Q. What is the length of the leader?—A. That would vary according to—as I said a moment ago—where it is placed. Sometimes there is quite a short leader; sometimes quite a long leader.

Q. Would it be one thousand feet or two thousand feet?—A. It might be 100 feet and it might be 3,000 or 4,000 feet. I don't know but possibly that is too far—

Mr. GOODRICH: I think 2,000 feet would be the maximum that you would possibly expect to get.

The WITNESS: Yes. I am just more or less speaking from my mind's eye in this case, and I am not just sure.

*By Hon. Mr. Tolmie:*

Q. Say it was 2,000 feet. What is the width of the straits at that point over to the American side; how many miles of water?—A. Twenty—sixteen.

Mr. GOODRICH: I think about sixteen miles wide at the narrowest point.

The WITNESS: Yes. I would judge along here (indicating on map) it would be about 16 miles wide. It goes to over 20 miles in further, but at no place are the straits less than about 9 miles. That is speaking again from memory.

*By Mr. MacNeil:*

Q. Is it not true that the fish in their movements hug the shore in around that headland where the traps are placed?—A. The fish, to some extent, do. Coming in here (indicating) there is no doubt in the light of experience that fish come in on both sides of the boundary. But the movement of fish is too intricate to make any broad statement of that kind.

You may place a trap here (indicating) and spend \$20,000 or \$15,000, as a good many people on the Pacific Coast have done, and you may find that it is a failure; and then you may go a few hundred yards and strike a point where you will have successful fishing.

The CHAIRMAN: Just on that point, Dr. Found; a net could only be set in the location granted in the licence.

Mr. FOUND: The location granted in the licence, yes.

The CHAIRMAN: These licences specify where the trap net shall be set.

Mr. FOUND: That is true, so far as these British Columbia licences are concerned; the fore shore privilege.

*By Mr. Reid:*

Q. How long have these traps been located in their present position?—A. I was just coming to that, I am glad to give any useful information, but you gentlemen asked for this picture, and how it was going, and I was just leading up to that when this discussion arose.

*By Mr. Kinley:*

Q. What size of mesh is used in the pot, and in the trap itself?—A. That net is three and a half inches in mesh. You see, a trap must be a trap. The leader is big enough to allow smaller fish to get through, but the trap as its very name contemplates is intended to insure that the fish are going to be caught alive without gilling, and if you have a big enough mesh in your trap to gill the fish you are not gaining the advantages of the trap and not doing anything that is valuable from the standpoint of the protection of the fisheries, and fish will become gilled in the trap.

[Dr. Wm. A. Found.]

*By Mr. Reid:*

Q. Are fish ever caught in the six inch mesh of the leader?—A. In some places they use wire while in others they use net meshing. Some fish might be caught in the six inch mesh.

Q. I was just wondering if you have any records of fish actually being caught in the lead trying to get through?—A. I would say this, that you could make no specific statement that it occurred to any important extent. There might be the odd one.

Q. So that when they come up against that lead they really turn out along it?—A. That is true pretty near everywhere the fish can see. You know gill nets are set to be used under conditions where they will not be as visible—or to put it the other way, where they will be as invisible as possible to the fish.

Well then, to come to the story of these traps. These traps, as I say, arose after gill net fishing had been going on on the Canadian side. They were started on the United States side because some method had to be adopted there other than gill net fishing if the people of the State of Washington were to share in the fishing. You can look at these islands (indicating) and you can see at once how advantageous these channels are for placing traps amongst. That method of fishing achieved success almost immediately. Its growth was very rapid limited possibly, and I think this is a fair statement, again by demand. It grew until it reached a maximum of what the fishery itself would stand and regulations had to be adopted to control the situation. Then we had this situation; these fish coming in here (indicating), are known to be coming along this side of the line, and then for some reason they passed over to the United States side of the line after they had passed the south western point of Vancouver Island, not to emerge therefrom again until they got up around Boundry Bay here, or up along the 49th parallel; so that all that time on their way to the Fraser River they were in American waters and were more and more a prey to United States traps. The volume of fish caught became greater on the United States side of the line, and that went on to the point where we were getting—as will be well known to the British Columbia members of the committee—from 28 to 30 per cent of the catch of sockeyes and the other varieties of salmon, the other 70 per cent to 68 per cent being taken on the United States side of the line. In the nature of things agitation was arising on the Canadian side. These traps operated up to Boundry Bay. You see the location of the boundry, and how that bay makes up northerly into Canadian territory. The boundry goes right up across Point Roberts. These traps were placed in the shallow water there (indicating) all along the course of the boundry. In the nature of things there developed an agitation from the Canadian side to be allowed to use these traps. In 1904 a special commission was appointed to investigate conditions, and the requirements of the British Columbia fisheries. That commission after going into the whole matter recommended the traps be allowed in this area (indicating), from Beechey Head to Sheringham Point, which was regarded as a competitive area with these traps on the United States' side. The regulations were amended in that year so as to allow traps there, and also to allow the use of traps up in the Boundry Bay area on the Canadian side. The traps at this latter point were used for a number of years but they did not prove very effective and finally—and here again I speak subject to correction—possibly due in part to objections on behalf of gill net fishermen on the Canadian side, and possibly due in part to the fact that traps were not very valuable there anyway, they were not continued.

Q. Might I ask a question there? You say that this commission of 1904 recommended traps being placed in that area?—A. Yes.

Q. You would probably have to answer this question subject to correction, but from your knowledge could you tell us whether or not the catch on the

American side up to 1904 was greater than it was on the Canadian side; was that so?—A. It may have been.

Q. Up to 1904; I am not speaking of from 1904 on now, I am speaking about up to 1904?—A. The change over came about 1900. I do not know the proportion. It was considerably greater. Mr. Whitmore tells me that the balance changed to the United States side about 1900. If I had attempted to answer that myself I would have said that it was before that, speaking from memory.

*By Mr. Kinley:*

Q. Do the Americans use traps or gill nets?—A. On the American side they use traps and purse seines in their fishing generally; they use gill nets where gill nets are feasible—are you speaking of the American side?

Q. I thought in this competitive area they had been using traps?—A. In this competitive area they fished entirely with traps. That was the only method known at that time.

Q. And they are still using traps?—A. They have not been using traps in this area for the past two years.

Q. Do they use purse seines?—A. They use purse seines in practically all of that area. There is the Skagit river which comes in up there the estuary of which affords a very limited drift net fishing area, but the drift net fishing area on the United States side is limited to such an extent that it may be considered negligible.

Q. The drift net is a gill net?—A. It is a drift gill net, it is quite similar to the drift net used in the Bay of Fundy; that is the catching method. one of its ramifications, it is known as the drift net in the Bay of Fundy. In certain waters of the United States the drift net is the main method of fishing. That is the method used to a large extent in Alaskan waters, but on the United States' side generally these gill nets are the bottom end of production; purse seines and traps are pretty well equal.

*By Mr. Taylor:*

Q. I would like to ask what induced the United States fishermen to forsake their traps?—A. I will come to that in a moment. Have I made the story clear to you up to this point?

*By Mr. Kinley:*

Q. I would just like to ask Dr. Found if there is any convention or treaty operative in this area which restricts Canadian fishermen from entering American waters, or which restricts American fishermen from entering Canadian waters?—A. No. These are national waters; that is, the three-mile limit does not apply. Ever since the treaty of 1846, which laid down the definitive boundary between the waters of each of the countries, this boundary line has been regarded as separating the territory of both by water and land; therefore, even if it is more than three miles from shore they are what are known as national waters; all the water from the boundary to the Canadian shore is known as Canadian water. These are possibly what is referred to as national waters, rather than territorial waters.

Hon. Mr. MICHAUD: That was following the convention of 1846.

*By Mr. Pottier:*

Q. Do you have purse seines on the Canadian side, or is it not suitable?—A. I should have also said that the commission of 1904, recommended allowing purse seines as well, so that these two methods of fishing came into use; but these trap nets were restricted for many years to that immediately competitive

[Dr. Wm. A. Found.]



area. The purse seines, however, gradually stretched themselves out over the area until now they are in common use all over the coast pretty near; that is, speaking in a broad way. We keep purse seines away from strictly gill net areas, and there are areas in which we do not allow purse seines, where you would not be able to capture the fish.

But I will go on, if I may, and get back to my main point. I think possibly I have given you the story Mr. Reid wants, unless you want the story further than that. Dealing with the trap development: From there trap fishing started in this area as these things frequently do in a very enthusiastic way, but after all there were comparatively few sites that were good trap sites, and as a consequence the number of traps although not limited by law except as to the distance apart which they must be—and here again I am speaking subject to correction—drop from around 20 in the earlier years down to as few as six or seven in these later years, and these are being operated entirely by two companies, one of these companies started in 1918—Mr. Goodrich will correct me if I am wrong, but I think it was 1918 when they came into existence—

Mr. GOODRICH: That was the first year in which we were in operation.

The WITNESS: They took over other concerns that were operating there at the time, with the exception of the J. H. Todd Company. These two companies are operating traps there, and these two only since that time; although, legally there is nothing to prevent others going into it if it would pay them. Well, these traps have been operated there since that time. On the United States' side there has been a growing agitation against traps. That agitation was started in the first instance by the purse seiners. The purse seiners were growing stronger and stronger. In the first instance their competition was not so great as it became later on but the time came in the United States, on the Washington State side, when the purse seiners were taking the greater portion of the catch, and the agitation against the purse seine came from the Washington side. When I speak of the United States' side I merely mean here (indicating) because this matter about which I am speaking does not apply generally in United States' waters.

*By Mr. Neill:*

Q. It was not the purse seiners who took the majority, wasn't it the traps?—A. Subject to correction I stick to my statement. I think that the facts will show—

Q. Pardon me, you said it was the purse seiners who objected to the traps because the purse seiners were taking most of the fish; that does not make sense. You said that?—A. Well then, let me try to make my point clear—

Q. You said that the seiners objected to the traps, and then you went on to say that the action was taken because the purse seiners were taking a majority of the fish; I think you meant to say that the traps were taking a majority of the fish?—A. No. I have not made my point clear. As I understand the situation, and I just give it to you for what it is worth from that standpoint, it is this: the traps came into existence on the State of Washington side where they were operated for many years; then the purse seines developed. Purse seines at first were taking the smaller portion of the catch and there was not very much talk or agitation so far as the purse seines were concerned then developing. But as time went on purse seining increased very rapidly on the United States side till, I feel quite sure an examination of the figures will support me, the time came when the purse seines began to take a majority of the fish.

*By Mr. Neill:*

Q. What year is that?—A. I am speaking entirely from memory, and I may have to correct that statement. But in any event I shall put it this way: the

time came—and all I am leading up to is this—what I am stating there is not very important to my story—the time came when the purse seines became such an important branch of the industry, and so many people were engaged in the industry, that those engaging in purse seining began to raise an agitation against the traps. Now that is the point I am trying to make. That agitation went on in growth; it extended to the people who were not interested in the commercial fishery at all, and who were the people who largely decided the matter on the state of Washington side; that is, the sports fishermen. The sports fishermen took up the cudgels from the standpoint that these traps were reputed as taking sport fish in large quantities. In the state of Washington the law provides for initiative, as you know, by petition. Certain questions can be submitted to the people for a popular vote. That was done in the state of Washington. The result of that popular vote was a large majority voted against the traps. That law became effective in 1935, and must remain the law of the state for two years, 1935 and 1936, when the matter can be reopened by the state legislature. That is the situation at the present time; so that now there are no traps on the Washington state side. Whether there will be or will not be will depend on the action that may be taken by the State of Washington.

Q. And by us?—A. Well, so far as the State of Washington is concerned, it is by the legislature of the State of Washington. Now, as to what these traps were doing, this may be of interest and value to the committee. In 1918 an international commission was appointed to see what could be done to settle all outstanding fishery difficulties between Canada and the United States. That commission had submitted to it, amongst other things, the question of the protection of the Fraser river by international action. It arranged to try to get as definite information as was possible as to just how these fish were moving after they struck the Canadian side along here (indicating on map). In order to do that they arranged for the tagging of quite a number of fish from those so-called Todd traps. Mr. Todd was the main operator there, and they are spoken of generally as Todd traps, though he, as I say, operates only part of them. When we arranged—by we I mean Canada and United States—for the tagging of quite a number of sockeye salmon, I think something like eight hundred were tagged and let go.

Q. In what year was that?—A. 1918—it may have been done in 1919 but it was in 1918 we made the arrangements. I have figures here; of these fish that were tagged 136 were taken in the commercial fishing area of Canada and the United States. There were two that went astray. One was caught away up in Burrard Inlet, and one was taken somewhere else away out of the fishing area altogether. Three were taken away in the upper waters of the Fraser river. So five of them escaped both the Canadian and United States nets.

*By the Chairman:*

Q. What proportion was taken in Canadian and American waters?—A. Of the fish that were tagged 136 were taken in the commercial fishing nets on the United States and Canadian side; 14 in the Canadian nets and 122 in the United States nets, or about 89 per cent.

*By Mr. Reid:*

Q. Would that be seine nets?—A. These would be the seines and the traps.

*By Mr. Kinley:*

Q. That is, the tagged fish?—A. The tagged fish.

Q. May I ask you, of the yearly run what percentage is taken by the Americans and what percentage is taken by the Canadians?—A. Well, in recent years—I am speaking now of sockeyes alone—and those on the Pacific coast know

[Dr. Wm. A. Found.]

that I need not emphasize that point. There are five varieties of salmon that frequent the Pacific coast, all of which enter into the fisheries, the sockeye being the most important one—in which traps were out on the United States side we were getting from 28 to 30 per cent of the catch of sockeyes that was made. So that from 68 to 70 per cent of the run was taken on the United States side.

*By Mr. Hanson:*

Q. Since the American traps have been taken away, what is the percentage?—A. I shall come to that in a minute. I can answer that now. The first year traps were out 53·6 per cent were taken on our side, which indicates an immediate change.

Q. After they took their traps up?—A. After they took their traps up.

Q. And we put ours in?—A. No.

Hon. Mr. MICHAUD: We have had traps there since 1904.

Mr. NEILL: We kept ours in.

The WITNESS: We kept ours in the water. With our traps there and our Canadian fishermen, our catch went up from 28 to 30 per cent to 53·46 per cent.

*By Mr. Reid:*

Q. I think it should be said so as to keep the record straight that there were years before the traps were taken up by the Americans when our take of sockeye was great.—A. Yes.

Q. I think it should be said in fairness to the committee, in order that there will not be a false impression created that though the Americans were getting every year 60 to 70 per cent of the sockeye, there were years when on the Canadian side we were getting a greater number of sockeye than the Americans, even before the traps were taken up on the American side.—A. I will give you this so the situation will be appreciated. In 1915 the United States got over 41·4 per cent; in 1916 they got 34·2 per cent. In all the years from 1916 to 1935 it ran from 54 per cent to 73 per cent. So that broadly speaking—

*By Mr. Ryan:*

Q. You are speaking of the trap fishing now?—A. No; I am speaking of the catch of sockeye on the two sides. Prior to the traps going out on the American side, as a general rule we were getting a great deal smaller proportion of the run. When the traps went out the picture changed. There is no question about that. The picture changed in these two years from 28 to 30 per cent to 53·6 per cent in 1935. In 1936 we got slightly over 80 per cent.

*By Hon. Mr. Tolmie:*

Q. Was not the large 1936 run due to the fact that the salmon changed its course to get to the reaches of the Fraser river?—A. I was coming to that. It is so hard to take one year in the history of anything like a fishery.

Hon. Mr. MICHAUD: Mr. Deputy, while we are here, and in order to get that point, I should like to ask if you have any idea of the number of traps that were operated in these American waters as compared with the number of traps operated on the Canadian side?

The WITNESS: Yes; the number of traps, I think, runs up to several hundred, 270 odd strikes my mind.

*By Mr. Neill:*

Q. 219, is it not?—A. Well, in any event—

Q. I quoted the figures in the house the other day.—A. In any event, the number was very large.



Mr. REID: The records are given here, Mr. Minister. In 1930 there were 243. In 1934, the last year that traps were used in Puget Sound, 203.

*By Hon. Mr. Michaud:*

Q. What about our side?—A. On our side, usually 6 or 7.

Q. How many were operated?—A. Oh, there have been very frequently not more than 4 or 5 around there.

*By Mr. Pottier:*

Q. Are they exactly the same type?—A. The same type of trap—do you mean size or its length from shore? It depends where it is. It may have a short leader or a long leader. A trap like that (indicating) would run up to possibly \$15,000 to \$20,000.

Q. It is like a mackerel trap they have in the east?—A. Yes, but very much more expensive.

Q. A mackerel trap costs a lot?—A. The mackerel traps around Yarmouth?

Q. Yes; that is the type of trap to which I am referring.—A. Around Maitland?

Q. Yes; that is the nearest to a Pacific trap we have on the Atlantic coast.—A. Yes.

*By Mr. Kinley:*

Q. How much importance do you put on the muddy water, and the fact that you must have muddy water to operate a gill net?—A. Experience is behind that on the Pacific coast so far as salmon is concerned. Even on the Atlantic coast you know that fishery must be confined to the night.

Q. I am speaking of muddy water.—A. On the Pacific coast there is no question that gill net fishing is most successful in the roiled water that comes down the rivers from the mountains. We have nothing like that on the Atlantic coast. I am not speaking of anything that is not a fact. It is a fact, borne out by experience, as every man from British Columbia well knows. Without question it is a factor that is necessary in successful gill net fishing. In a general way on the Atlantic coast it is quite different.

*By Hon. Mr. Tolmie:*

Q. Is the water so phosphorous as some of the Pacific waters?—A. I should not like to make a final statement on that point, but certainly the nets that are put in the clear water on certain occasions will become a wall of fire pretty quickly, but not every case.

*By Mr. Taylor:*

Q. I should like to refer to the point that Dr. Tolmie has just interjected as to the last year. The Canadian catch was a big one?—A. This year—

*By Mr. Ryan:*

Q. I do not want to interrupt you but I want it clear in my own mind. They have something like 240 traps on the American side and we have 6 or 7?—A. They had.

Q. What is the explanation there?—A. The explanation I tried to make in the first instance, but possibly I did not follow it far enough; that the fishery developed on the Canadian side as a gill net fishery?

Q. Was it a question of a limitation of licences?—A. Licences more so than now.

[Dr. Wm. A. Found.]

Q. A Canadian could get a licence if he wanted to put a trap out in a district?  
—A. The only limit is the distance between traps in the particular area. Traps were not being laid in any other area.

Mr. NEILL: These are the only profitable sites.

The CHAIRMAN: When Mr. Neill spoke in the house on January 25 he said that in 1934 the Americans abandoned 219 traps.

Mr. NEILL: That was the average.

Hon. Mr. MICHAUD: That was the average in the American waters.

The WITNESS: That is the idea I had in mind. I am not sure yet. If you examine some past years you won't find that many. That is my memory, and it may be right or wrong. But coming to 1935 the catch of salmon in 1936 on the Fraser river area, or the state of Washington area—I am speaking of sockeyes—was over 80 per cent. Peculiarly enough these traps—I think I am safe in saying this—did not make as good a catch on the average in 1936.

Mr. WHITMORE (Department of Fisheries): They were lower.

The WITNESS: Let me give you the catch of sockeyes for these traps in the last few years. In 1933 the Sooke traps, the traps on our west coast area, took 121,458 sockeyes.

*By Mr. Reid:*

Q. That is for the four traps?—A. That is for all the Canadian traps that operated in that year 1933 we got 29·44 per cent of the fish as a whole. In 1934 these traps took 68,748 sockeyes when we got 28·31 per cent of the total catch on the two sides.

Q. Sockeyes?—A. I am speaking of sockeyes alone. Let that be clearly understood. In 1935 these traps took 73,103 fish when we got 53·43 per cent; in 1936 these traps took only 44,336 when we got 86 per cent. That is one of the reasons that is given in support of the contention that for some unknown reason this year a large majority of salmon in the Fraser to some extent—the great majority of them no doubt come in this way (indicating) and to some extent every year some go around by the north down through Johnstone strait and down this way (indicating). Last year it was generally accepted—

Mr. NEILL: No, no.

The WITNESS: I state that as my opinion. I think it is the general view of the fishermen.

Mr. NEILL: Major Motherwell did not state it as his opinion.

The WITNESS: Well, I give it as mine after contact with fishermen pretty well over the place, that the majority of the fishermen hold that view—I know that some of them do not—that this year the great majority of the fish—that a very much larger proportion of the fish, rather, than usual came around by the north and down through here (indicating), one argument given in support of that contention being that while we got this year over 80 per cent of the catch as against years previous to 1935, 28 to 30 per cent, the traps that were fishing in each of those years took much fewer fish in 1936 than they did in those previous years.

Mr. GREEN: You have to live in Vancouver city to see it, because there are hundreds of fishing boats around Vancouver harbour that were never there before.

Mr. TAYLOR: I heard the same thing several times.

The WITNESS: I do not think there is any doubt about that being commonly held. I give it as my opinion, and I leave it at that.

The other point that will possibly be of interest and value to the committee in considering this matter so far as these particular traps are concerned, and we are speaking of these particular traps—

*By Mr. Reid:*

Q. Before you leave the traps, have you any figures to show the ratio of the fish caught in the Canadian traps as against the fish caught in the American traps?—A. As traps?

Q. As traps.—A. I have not that from memory. That, of course, could be worked out because the figures are published.

Q. In that way we will get one picture against the other?—A. Yes. I am sorry. I would not like to venture even a statement on that. I have not examined it closely enough to be sure of it. The whole catch on the American side in the state of Washington—

*By Mr. MacNeil:*

Q. Have you got the percentage of Canadian fish caught in the traps?—A. Yes, about 2 per cent; that is, of that run. Let me put that statement clearly: if you mean what percentage of the fish in that area passing through there are taken by the Canadians and by the United States, then about 2 per cent; if you mean what percentage of the catch in British Columbia was made in these traps, then I have to give you—

Q. That is the point. How big a factor are they in the fisheries?—A. Between 1 and 2 per cent.

MR. GREEN: Mr. Chairman, about the year 1935 when the American catch fell so greatly was there not a serious strike among the U.S. fishermen in that year which would affect the American catch?

THE WITNESS: Well, there was a serious strike. I would not want—

*By Mr. Reid:*

Q. The strike does not affect the traps?—A. There were no traps in 1935—in 1935 and 1936 there were no traps. Mr. Green's point, as I understand it, is this, that in addition to the traps going out in 1935 the catch on the United States side was further reduced by the fact that there was a serious strike on. There is no question that there was a serious strike.

*By Mr. Neill:*

Q. Was there not a strike in Canadian waters in 1936 too?—A. No; but in 1936 you had that situation—make what you will of it—it can be proven, it is a matter of evidence, and this evidence is given as pretty strong evidence that the fish have in very large numbers largely come around by the north. This further statement, I think, would be of value to the committee, and then, unless you have more questions—

Q. Was not there a strike in the British Columbia waters too among the fishermen in 1935?—A. There was, speaking from memory, among the trollers.

Q. Not among the gill-netters?—A. I do not think so.

MR. WHITMORE: No; nothing of importance.

*By Mr. Neill:*

Q. What about Rivers Inlet?—A. 1936. A very serious strike in Rivers Inlet.

Q. That would offset any strike in the American side.

MR. GREEN: Rivers Inlet is a different place altogether. We are talking of the Fraser river. How would that affect the matter?

THE WITNESS: Of course, the Rivers Inlet sockeye catch has no relation whatever to the sockeye run under consideration.

[Dr. Wm. A. Found.]



*By Mr. Taylor:*

Q. But your figures have no relation to the Rivers Inlet catch?—A. None whatever. Excepting that one statement I made that the catch by the traps was between 1 and 2 per cent of the total catch of British Columbia. To that extent it has. I made two statements. One was that the catch of sockeyes taken by these traps was between 2 and 3 per cent in that run.

Mr. GOODRICH: The Fraser river run.

The WITNESS: Yes; but the catch of those traps as related to the whole catch of British Columbia was only between 1 and 2 per cent.

Mr. WHITMORE: Not 1 per cent.

Mr. NEILL: You said between 1 and 2 per cent.

The WITNESS: I did.

Hon. Mr. MICHAUD: Half of one per cent.

The WITNESS: I stand corrected.

Hon. Mr. MICHAUD: Two per cent was the total run on the Fraser and the total run includes Canadian as well as American.

Mr. NEILL: You said between 1 and 2 per cent of the B.C.

The WITNESS: I am glad to be corrected. I spoke from memory.

To come to this other point which I think would be of interest and value to the committee, bear in mind that we are not dealing with the trap situation generally, we are dealing with something that has been developed on this portion of the coast during a period of years. It was started there in 1904, and in the very nature of things where an industry starts you have other conditions centring around that industry. To come back to the taking of fish, I think it may safely be taken as an indication that 80 per cent of the fish that were taken by these traps if those traps were not there would have passed on to the United States side and would have been taken on the United States side. These traps took from 1905 to 1934 sockeyes that made a pack of 289,363 cases. If you put these at \$13 a case, that would mean a total earning to that part of Canada of \$3,761,719. If you take 89·7 per cent off that it would have given to the United States side, if these traps had not been there—it would have meant that \$374,261 worth of goods were put up on the Canadian side that would not have been put up on the Canadian side but that would have been put up on the United States side, if those traps had not been there. Now, that is that.

The other thing which, it seems to me, needs to be taken into consideration in dealing with these particular traps is what happens when we have an industry started there. In searching back over this matter, apart altogether from the question of investment that has been built up there over a period of time, it is the human element that I wish to stress. There were, according to the statement by the people themselves—and this is a copy of that statement—forty-one persons employed last year—

Mr. NEILL: What people?

The WITNESS: People of Sooke—forty-one persons employed last year at these traps.

*By Mr. MacNeil:*

Q. Does that include those employed on the scows and barges?—A. These will be employed in connection with these traps. These are people living at Sooke, who have established their homes there because this industry was built up there. The average age of these people is forty-two and a half years. Now, I am afraid that that fact indicates that a good many of them are more than forty-two and a half years of age.

Mr. NEILL: I would like to ask the question whether it is necessary for Mr. Found to present these views. He is talking as an official of the fisheries department, and what the views of these people at Sooke are should be presented by themselves. I do not think Mr. Found need take up his time giving individual views; he is giving views here as the Deputy Minister of the Department of Fisheries. The Sooke man should speak for himself by way of petition so that we can have the petition before us.

The WITNESS: I can place this petition before you.

Hon. Mr. MICHAUD: These are the facts contained in a petition that was addressed to us by the Sooke people.

Mr. NEILL: Let us have it then.

Hon. Mr. MICHAUD: It is filed here.

Mr. RYAN: Why not make it a part of the record?

Mr. NEILL: May I have a copy?

The WITNESS: It is contained in a return.

Mr. NEILL: I have not seen it.

The WITNESS: It has just been completed.

Mr. RYAN: If it is part of the record, some of us would like to have a little bit more information.

Hon. Mr. MICHAUD: Certainly. It will not hurt.

The WITNESS: I was seeking to give the committee a little information so that it might be considered for what it was worth. I am not seeking to do more than make that statement.

Hon. MEMBERS: Go ahead.

Mr. NEILL: It is all right if Mr. Found presents this statement and says, "I have a letter or petition which I am going to read"; but when he states it as Deputy Minister of Fisheries that is different. He is not entitled to tell us that these things are facts. If he presents a petition, as any of us might, we will be able to consider it and to know where it comes from, but he should not be saying that these things are such and so on his own authority. If he is going to read a petition or a letter, let us know what it is.

Hon. Mr. MICHAUD: Even if the facts which the Deputy Minister lays before the committee are disputed by any member of the committee, he is at liberty to correct them.

Mr. NEILL: He is not in a position to state that he knows those things; he is only quoting from what somebody else told him. If he gives us the authority it is all right.

Hon. Mr. MICHAUD: Even if it is evidence that can be disputed, it can be verified; it can be shown by other witnesses.

Mr. TAYLOR: It is very essential that we should get the information.

The CHAIRMAN: My ruling in this case would be that if this is a petition sent in by individual members of that district it should become part of the record.

Mr. NEILL: And the witness should tell us so.

The CHAIRMAN: Yes.

Mr. NEILL: Read it out.

The WITNESS: I was reading the statement.

Mr. RYAN: Is it signed by many people?

The WITNESS: It is signed. I think forty-one is right. They all signed giving their ages and the number of years they had been employed, the number of dependents, and whether they are home owners or not. I will read it:—

[Dr. Wm. A. Found.]

We, the undersigned, Employees of the Sooke Harbour Fishing & Packing Co., Ltd. and J. R. Todd & Sons, Ltd., operating Salmon Trap-Nets in the vicinity of Sooke, Vancouver Island, British Columbia, are much perturbed over press reports published in local papers stating that the Department of Fisheries was considering refusing further Trap-Net Licences after the current year.

We respectfully submit a brief statement of our years of service, age and families of dependents and the number of homes that would be broken up if such a course were followed.

We also desire to point out that our years of experience would be in most cases of no benefit in other lines of Fishing or outside employment.

If such action were taken, it would mean that we would have to leave Sooke for a larger centre of employment and aggravate an already crowded labour market. We would also desire to express our sentiments as regards our Employers in respect to fair wages, fair hours and most considerate treatment. This is reflected in the many years of service and the fact of practically no turnover in Employees save death or sickness and in the former case this has been taken care of by free Insurance carried by our Employers.

Name	Age	Years employed	Depend- ents	Home Owner Yes or No
W. U. Muir.. . . .	67	32	..	Yes
Victor Skeegren.. . .	58	30	4	Yes
Harry McBride.. . .	62	18	2	Yes
Robert Acreman.. . .	41	12	3	Yes
J. Martinron.. . . .	52	16	1	No
W. Baker.. . . .	30	10	2	Yes
J. Forrest.. . . .	37	14	4	Yes
S. P. Giles.. . . .	29	13	3	No
J. Collins.. . . .	39	14	3	No
Louis George.. . . .	52	14	6	Yes
H. George.. . . .	45	15	2	Yes
L. George.. . . .	31	11	1	No
Joe Briggs.. . . .	56	17	1	No
E. R. Horwood.. . . .	42	1	6	Yes
Morris Fisher.. . . .	36	2	1	No
F. G. Gray.. . . .	48	16	3	No
E. J. Pontious.. . . .	50	13	8	Yes
H. F. Pontious.. . . .	25	11	2	Yes
F. Underwood.. . . .	39	18	5	Yes
E. Gray.. . . .	22	4	..	No
M. Michelsen.. . . .	20	3	..	No
G. McIntosh.. . . .	32	13	4	No
T. Wright.. . . .	43	23	3	Yes
J. Bradley.. . . .	58	29	1	Yes
N. Baskerville.. . . .	43	5	1	Yes
T. Boury.. . . .	45	8	2	Yes
T. Blight.. . . .	49	14	3	Yes
R. Seymour.. . . .	40	13	3	Yes
E. Cubbels.. . . .	38	2	6	No
A. Sullivan.. . . .	30	2	4	Yes
L. McBeath.. . . .	43	14	2	Yes
H. J. Sims.. . . .	29	10	2	Yes
H. Page.. . . .	42	12	4	No
M. Nicholson.. . . .	49	25	8	Yes
A. L. Wilson.. . . .	37	20	2	Yes
R. E. Baker.. . . .	28	11	2	Yes
H. Campbell.. . . .	65	16	1	No
E. Underwood.. . . .	36	17	3	Yes
Gus Underwood.. . . .	32	18	5	Yes
H. W. Goodrich.. . . .	38	9	2	Yes
Horace Hills.. . . .	61	8	1	No

Now, Mr. Chairman, I am sorry if I have caused any reason for discussion. I was making what I understood to be—or what I was trying to do was to state, as I understood them, the main facts. That is all I was doing.



*By Mr. Tomlinson:*

Q. That petition was signed of their own free will?—A. So far as we know.

Mr. NEILL: Employees of the company. It says they are employees of the company.

The WITNESS: Employees of the company.

Mr. NEILL: That is what I want to bring out.

The WITNESS: Number, 41; average age, 42½; dependents, 116; homes, 27. I also noted somewhere in going over the record that there were churches and schools established there. It is merely that element that I wanted to bring to your notice, the facts of just what happens when you have an industry—I don't care what sort of an industry it is—at a place. It just results in that sort of thing; there is an amount of hardship involved in it.

*By Mr. Reid:*

Q. The same as is involved on the Fraser River with gill net fishing?—A. Absolutely; the same thing in any industry.

Mr. NEILL: Mr. Found has read a petition signed by how many people?

Mr. REID: Forty-one.

Mr. NEILL: Forty-one who were employees. I suggest he read the petition signed by some 1,700 people, from the fishermen.

Hon. Mr. MICHAUD: The 1,700 fishermen do not live in that Sooke community at all.

Mr. NEILL: They are fishermen. That is all I am saying. It is only fair if he is allowed to read one, he ought to read the other.

The WITNESS: I did not want to read it at all.

Mr. NEILL: I cannot read it because I have not got it. I think if you read one with 41 on it, the one with 1,700 ought to be read.

The CHAIRMAN: I think if there is a petition against trap netting signed by 1,700 people, it should become part of the record.

Mr. NEILL: I ask Mr. Found if he has the petition.

The WITNESS: So far as that is concerned, as the members of the committee know, Mr. Neill moved in the house sometime ago for a return to cover the getting of the record. That return was fairly long and was prepared with as much dispatch as possible. It has been finished. It was finished and is now—

Hon. Mr. MICHAUD: It may be introduced this afternoon.

The WITNESS: It is now on the way through the usual channels.

Hon. Mr. MICHAUD: It has to go to the Secretary of State's office and they certify it there. It is then forwarded to our department in order to be laid on the table of the house. It is in the Secretary of State's office now.

Mr. REID: Is the petition you have spoken of with the 1,700 included?

Hon. Mr. MICHAUD: That is included in the record.

Mr. TOMLINSON: Where is the petition?

The WITNESS: I have not got it with me.

Mr. NEILL: Why have one and not the other?

The WITNESS: I had no thought of reading that when I came here.

Mr. TOMLINSON: We want everything read.

Hon. Mr. MICHAUD: Certainly. You are entitled to that.

The WITNESS: The other petition is in the return with the correspondence.

[Dr. Wm. A. Found.]

*By Mr. Kinley:*

Q. Mr. Found, from what you say I infer that you say that without traps these people cannot employ these men. Can they not employ them on other methods of fishing?—A. No, not there; not in that community.

*By Mr. Neill:*

Q. You say that positively?—A. I say that in the light of the experience of the industry; that gill net fishing has been given opportunities of being established there by the regulations allowing gill nets of almost any length to be used there, in the hope of encouraging gill net fishermen out there. Purse seining has not been found practicable in that area on account of the heavy currents, the tides, in that limited area. There is a limited amount farther south, I should say, of trolling. But to say that another industry, fishing industry, could be carried on in that area,—I think in the light of experience that may be answered sufficiently in that way.

Mr. HANSON: Just because those people are living in the Sooke area and employed by that company, that does not say they could not be fishermen; because we have hundreds of fishermen living around Vancouver who go up 400 or 500 miles to fish.

Mr. NEILL: Yes.

Mr. HANSON: Because they have their homes there, other fishermen have gone hundreds of miles away from where they are living.

The WITNESS: That is so.

*By Hon. Mr. Tolmie:*

Q. If I understood Mr. Found correctly, his statement was that the water was unfavorable for other methods of fishing; that is, to make it a profitable industry?—A. My only answer to that will be, as I sought to make it before, that so far in the light of experience goes, that has proved to be the case.

*By Mr. Neill:*

Q. Will you read that, Mr. Found (handing document to witness)?—A. This is from Kyuquot Trollers Cooperative Association. The committee knows what trollers are. They operate lines from a boat, with spoons that can be turned as the boat moves, and the fish are attracted to it. From their number they are a very important branch of the industry. This reads:

We protest against traps as it is privileged and destructive fishing and therefore illegal. Locations are fine fishing grounds for seiners and trollers. Seiners and trollers fishing every year at trap locations but the privileged permanent location of traps obstruction operations for other mode of fishing.

*By Mr. Green:*

Q. Do these fishermen not get a shot at these fish before they get down to where the traps are?—A. Seining is allowed in that district.

Q. Do these fishermen not get their fishing before the fish ever get to where the traps are?—A. Trolling and purse seining is carried on all up that coast.

Mr. GREEN: The fish come there first.

*By Mr. Neill:*

Q. Trolling for sockeye?—A. No, not for sockeye.

*By Mr. Ryan:*

Q. Have you any figures as to the success of troll fishing?—A. There is no important troll fishery developed in that area.

Mr. NEILL: You cannot, because the privileged location prevents them. You just read that. The privileged location prevents it.

*By Mr. Pottier:*

Q. Do sockeye troll?—A. No. Sockeye do not take the troll.

Hon. Mr. TOLMIE: It ought to be made clear that the spring salmon, the sockeye, the dog salmon and the humpback and three or four of those fish do not take any bait at all.

The WITNESS: The spring salmon do.

Hon. Mr. TOLMIE: The spring salmon does, but the sockeye does not.

The WITNESS: The sockeye nor the pink, to any important extent.

*By Hon. Mr. Tolmie:*

Q. I would like to ask another question. How far away is the headquarters of this petition you gave us, the headquarters of that organization at Kyuquot?—A. The telegram is from Vancouver.

Mr. NEILL: The headquarters of that association is at Victoria, and they buy all their supplies in Victoria.

The WITNESS: That is a cooperative; that has, its place of market in Victoria.

*By Mr. Tolmie:*

Q. How far is Kyuquot from the present trap location?—A. It is possibly 20 to 30 miles.

Mr. WHITMORE: About 120.

The WITNESS: Yes, I believe 120. Here is the trapping area there (indicating on map) and here is Kyuquot.

*By Mr. Tolmie:*

Q. How many miles is that?—A. That island is about 500 miles long.

Mr. NEILL: These people bought \$50,000 worth of supplies in Victoria last year.

*By Mr. Pottier:*

Q. There are 41 in this petition that are affected by these traps. How many gill or other kinds of fishing would be affected farther up the river?—A. The Fraser River fishermen?

Q. You have licenses for these?—A. Yes. There are usually about 1,200.

Mr. REID: Around 1,200 get licenses; about 2,000 fishermen come from other areas. They get permission on a license for one area and go into other areas.

Mr. POTTIER: Is that a seasonable thing.

Mr. REID: Yes.

Mr. POTTIER: For a short time?

Mr. REID: There are probably a thousand fishermen fishing the whole year around in the Fraser river, and at some seasons there will be some 2,000 or 3,000 when the run is on.

*By Mr. Green:*

Q. How many licenses in the Fraser river area are held by Japanese?

Mr. REID: That is a good question.

The WITNESS: My answer technically would be none. But if you ask me how many licenses are held by orientals, by Canadian citizens of oriental origin—

[Dr. Wm. A. Found.]



*By Mr. Reid:*

Q. Well, it is the same thing. How many are there?

Mr. WHITMORE: About 400.

The WITNESS: Four hundred.

Mr. GREEN: Four hundred out of the 1,000 are Japanese.

An Hon. MEMBER: Oriental.

The WITNESS: Yes, are Canadian citizens of oriental origin.

Mr. McCULLOCH: Well, they are all Japanese, are they not?

Mr. REID: Yes.

*By Mr. McCulloch:*

Q. Are they British subjects?—A. Yes.

*By Mr. Taylor:*

Q. There are gill netters, trollers, purse seiners and trappers, are each of these types of fishermen entirely friendly to the other types?

Hon. Mr. MICHAUD: Apparently not.

Mr. TAYLOR: No, apparently not; and that is the point I want to make, that the purse seiner is just as intent on destroying all other methods of recovering fish as the gill netter and the troller and the trapper. So it has become a factional discussion.

Hon. Mr. MICHAUD: The survival of the strongest.

Mr. HILL: I think Mr. Found told us that the traps take about 2 per cent of the fish. Forty fishermen would be exactly 2 per cent of the 2,000; so that these people are entitled to live as much as the others, I would suggest. They do not catch enough fish to affect it. They only catch their percentage of the fish.

*By the Chairman:*

Q. We are not so well acquainted with the British Columbia situation as some of the others. There is just one question I would like to ask Mr. Found for the benefit of the committee. There has been only 4 of these licenses granted?

Mr. NEILL: Operating.

*By the Chairman:*

Q. There are four allowed to operate?—A. Not allowed. Six or seven granted.

Q. There are only 4 operating; and you have applications for a large number more, have you?—A. Not in recent years. In recent years applications have usually been—I think I can safely say 6 or 7 is the general thing.

*By Mr. MacNeil:*

Q. May I ask Mr. Found to describe the regulations covering the operation of these traps—the length of time they operate, the closed seasons and the methods of inspection by the department with regard to the area?—A. The same closed seasons apply to the traps as apply to the other methods of fishing.

Mr. NEILL: Not quite.

The WITNESS: In what respect are they different?

Mr. NEILL: Well, if you want to know, I will tell you. There is a 48-hour closed season on gill nets, seines and traps—48 hours per week.

The WITNESS: Yes.

Mr. NEILL: The chief supervisor of fisheries in British Columbia has power to extend that and he does extend it. Sometimes he makes it 56 hours or 64

hours. There is a record a year or two ago of where he stopped all fishing in the middle of the season for about two weeks, and then to ten days. But he did not do that to the traps. That is why I say the regulations are not as strict on the traps as they are on the others. He did not stop it for the traps, although the act calls for it.

The WITNESS: That is an incident.

Mr. NEILL: I didn't understand it was an incident.

The WITNESS: Well, the regulations make it quite clear.

Mr. NEILL: I thought it was favouritism.

The WITNESS: Well, I am afraid your opinion is wrong.

Mr. NEILL: Evidently.

Mr. WHITMORE: The Fraser River traps were not subject to the special closings.

The WITNESS: To what year are you referring; was it last year or the year before.

Mr. WHITMORE: To 1927.

The WITNESS: It did not affect the Fraser river area. It affected the general situation. It was because of a general fishery situation, more in the northern area of the province.

*By Hon. Mr. Michaud:*

Q. The restriction did not apply to the Fraser river generally?—A. No sir.

*By Mr. Neill:*

Q. What do you include in the northern portion of the province?—A. Oh, the more northern portion of the province; it did not include the Fraser river area. From time to time the chief supervisor has to take such action to insure stocking of the rivers. He has had to do it for one area here, and for another there. When you have a condition develop in a certain area similar to that which was referred to in discussion the officer responsible has to see that fishing is kept down. The chief supervisor would be failing in his duty if under those circumstances he did not stop fishing in a particular area when this appears necessary. But, I come back again to the point raised with respect to regulations; I would not be in a position to make an adequate reply without knowing all the details, but generally speaking the same fishing regulations would apply to traps.

*By Mr. Ryan:*

Q. He sets certain hours for seine fishing?—A. Yes.

Q. Has the general supervisor discretionary power to extend those regulations to all points?—A. Yes.

Q. Does that power apply to all supervisors you have in the department?—A. No.

Mr. NEILL: He did not make it apply to the traps.

Hon. Mr. MICHAUD: It has been stated that these regulations were not applied to the Fraser river.

Mr. NEILL: Did it not apply to the whole of district No. 3 in which these traps are located?

Hon. Mr. MICHAUD: No, it did not apply to gill nets or trollers operating in the Fraser river.

Mr. NEILL: That is in district No. 1. This is district No. 3 and it would apply to the whole of district No. 3, the district in which the traps are situated, except to the traps; and possibly to the whole of district No. 1. Why did it not apply to the traps?

[Dr. Wm. A. Found.]

The WITNESS: For this reason, Mr. Chairman; I think it will be obvious enough; these traps were taking fish which were on their way to the United States side. Why should it have applied to people in an area of that kind when it was not applied particularly to the Fraser river area.

*By Mr. Green:*

Q. May I ask whether there are any Orientals in this trap fishing industry?—A. No. That is my understanding, Mr. Chairman.

*By Mr. Neill:*

Q. I would just like to ask one more question, Mr. Found: you have made your own statement and by it you have demonstrated that there are four traps operating on the Canadian side, and I think it has been shown that on the American side there were somewhere around 219 traps. I would like to have your opinion on this point, would it not be good ball on our part to give up these four traps if the Americans are willing to give up their 219 traps; would not the resulting benefits to our Fraser river fishermen be enormous?—A. If it were a condition that these traps were to go or the United States' traps would come back; or to put it the other way, if these traps were eliminated they would not be reinstated on the Washington side, I am bound to say that it would be in the interest of the Canadian industry for these traps to go.

Mr. NEILL: Thank you.

*By the Chairman:*

Q. Why did the Americans discontinue the use of their traps?—A. Well, the people of the state voted against them; and as I said when I was explaining the matter, while the agitation started with the purse seiners, by initiative it was put to a popular vote in the States through a referendum and the matter was taken up by the sport fishermen of the state and they obtained a large majority against the traps. It was very largely a vote of people who are not directly interested.

*By Mr. Ryan:*

Q. You state as a fact that these traps have been abolished in the United States for the past two years?—A. Yes.

Q. And in the meantime we have been operating these four traps?—A. Yes.

Q. In so far as the department is concerned have there been any objections from the United States regarding our traps?—A. I have not heard anything.

Q. Are these four traps the only traps operated on the coast?—A. Yes.

*By Mr. MacNeil:*

Q. It has been alleged that as a method of fishing these traps are wasteful and destructive. I would like to know what the opinion of your technical adviser is as to whether or not traps fulfil well known principles of conservation. Do fish actually escape through the mesh; that is, immature fish? Is there any conflict between the more active and the less active fish milling around within the trap? I would like to have your opinion on that?—A. From the nature of salmon fishing the percentage of immature fish that appear in any portion of the catch is negligible. The fish come back into these waters only on their way to the spawning grounds, and as they are mature fish immature fish are not in the runs coming back to the rivers. That is the general thing.

Q. I am informed that there is a certain movement through all these waters of grilse, a species of sea trout, I am informed that they are frequently lifted in the traps, and they are not actually on their way to the spawning grounds;



that there is a certain movement of young salmon and other species—spring salmon, cod and herring?—A. No; not in quantities that are of any importance.

*By the Chairman:*

Q. Is there any destruction of other fish?—A. As a matter of fact while trap fishing is a machine method of fishing and as a consequence has obvious objections—but I am not speaking about trap fishing on the coast as a whole, I am speaking of this particular situation there—from the administrative standpoint the trap is about the easiest implement that you have to handle because it cannot be taken up and moved away. Purse seining is about the most difficult.

*By Mr. MacNeil:*

Q. Now, I understand that cohoes are caught in the traps, and spring salmon as well as other varieties?—A. These are all mature fish.

Q. And herring are caught?—A. I do not imagine that the catches of herring would be important. There certainly would be herring caught when herring are running, but that would not be a factor of importance in the industry.

Q. Very often certain fish on their way to the spawning ground, fish of other species not as active as the sockeye, get into the trap and I am informed that they are often injured in the milling around of the fish there. In so far as it has come under the observation of the department can you say whether or not there is any mutilation or destruction of fish caused by this milling around of some of the stronger fish seeking to escape?—A. No, I would not think so. The fish are taken from the trap alive and if the trap were lifted at any time I am of the opinion that the quantity of fish injured in the manner to which you refer would be unimportant.

Q. These are definite complaints sent to me by responsible officers of representative fishermen's organizations?—A. Lots of these statements would not be made if the people would go and watch the operations themselves. You see, statements like that grow as they pass from place to place. There is not very much doubt about it, the trap is an easy enough implement to handle so far as that end of it is concerned; and they are not as destructive relatively as for instance is the purse seine. The purse seine would take all the fish that come within its purview.

An hon. MEMBER: While it is in the water.

The WITNESS: When it is pursed.

An hon. MEMBER: They throw it around a school of fish. It is not there all the time.

The WITNESS: Quite so; but it can be used anywhere, all over the coast; they are met all over, and they can just get right up into the mouth of a river. It is possibly the most difficult fishing appliance that we have to regulate.

*By Mr. Reid:*

Q. Where any representations made by Canada against the United States fishing traps to the number of some 219 or 220; do you know?—A. I cannot say that I recall anything of that particular nature. It was recognized that certain methods of fishing existed on the one side, and certain methods on the other. There certainly have been plenty of representations that there were too many fish being caught on the United States side of the Fraser river to enable the people who fish in the Fraser to do very much.

Q. So that one might infer from the statement you made a little while ago that no representations had been made with respect to the use of traps on the American side, but there have been representations made with respect to the methods used in catching fish?—A. I think that is a proper statement, Mr. Chairman.

*By Mr. Neill:*

Q. Did not that all arise in connection with the Fraser river treaty?—A. The Fraser river treaty does not specify the methods of fishing.

Q. That however applies to the negotiations; no doubt that was all taken into consideration when the treaty was in the course of negotiation?—A. Quite so, but the treaty does not provide what method of fishing shall be allowed on either side of the river. It provides for control of the amount of fishing that shall be done on either side.

*By Mr. Reid:*

Q. So that we do not have to heed very seriously the thought to which you gave expression a moment ago to the effect that there was a bare possibility of the Americans bringing back their traps, because of the fact that when the Fraser river sockeye treaty is signed it will provide for an equal distribution of the catch?—A. Yes, no matter how the catch is made.

Q. So there is the possibility of the traps being put back on the American side?—A. I see what you mean there, that the treaty would provide for the total amount of fishing that might be allowed, and a proper division of that amount between the two countries.

Q. Yes?—A. That is right.

Hon. Mr. MICHAUD: And that would be irrespective of traps or methods employed.

*By the Chairman:*

Q. Just before you leave that question, for the benefit of the committee I would like to ask, was there any undertaking given or implied to the American government that if they withheld or abolished the use of traps on their side we would do the same?—A. So far as I am aware there has been no discussion whatever of the subject.

*By Mr. Reid:*

Q. The point I desired to emphasize was about these traps; I take it that you are still of the opinion that if we take out the four traps now operating on our side the Americans may bring back the use of traps on their side. There is no telling what they may actually do, I take it?—A. Some one asked me that question, I think it was Mr. Neill: as to whether or not it would be "good ball," I think that was the term he used, for us to operate these few traps if it is going to result in bringing back the use of traps on the United States' side.

Mr. NEILL: Pardon me; I asked, would it not be good ball for us to abandon the use of these four traps in use when the Americans have discontinued the use of their some 219 traps. That has already taken place?—A. That has already taken place, it took place two years ago. The question is at the moment before the legislature of the State of Washington, and the issue is whether or not that legislation will be amended.

Mr. REID: Would it be a fair statement for me to say, Dr. Found, that the same agitation is going on across the line as to Canadians using traps where the Americans are not as was going on on this side of the line for so many years when we were not allowed to use traps and when the Americans were using about 220?—A. All I can say is that I do not know of any agitation in the United States against the use of traps on our side.

Mr. REID: I can only give you my impressions as to what I encountered during my visit to fishing centres down there, and I can assure you that there are very many representations being made by the Americans along the same lines and using the same arguments that we in Canada used.

*By Mr. Green:*

Q. Could you tell us something about the fishing that takes place off Cape Flattery. I understand that the American catch is greater than ours. These are the fish caught in open waters before they reach our side of the line?—A. That is quite true.

Q. The Americans do make extensive catches off Cape Flattery?—A. They do fish off here (indicating) and there is another point off Vancouver Island here (indicating), an area known as the Swiftsure banks. The sockeye feed around that area, and purse seining has been extended quite largely, particularly from the United States side for sockeye. That was particularly true some years ago, but I am not prepared to state the extent of it as of last year.

*By Mr. Reid:*

Q. Do you mind answering this question? Can you tell us whether or not the Swiftsure banks are within the area outlined in the sockeye salmon treaty?—A. Yes. I have not got a copy of that treaty with me, but I am quite certain. Yes. I speak subject to correction.

*By Mr. Green:*

Q. Do Canadians do any purse seining off the Swiftsure banks?—A. They might, but they have not been doing much.

Q. That is almost entirely salmon fishing?—A. Yes.

*By Mr. MacNeil:*

Q. What is the reason for that? Is it because the Americans have larger boats?—A. That I suppose is one of the trends of the industry. It is pretty difficult to determine what things influence operations in certain directions. Turn to the point about the method of catch. Is it not true that with the close season applied to the trap the leads still intercept a large proportion of the fish moving along the shore?—A. Yes.

Mr. MACNEIL: Even though the apron is down and the fish not exactly admitted to the trap, they wait there until the end of the close season and upon the aprons being moved they immediately enter the trap in large numbers?—A. That may be quite true.

Q. The regulation applying to the close season operates to the disadvantage of the gill net and very much to the advantage of the trap?—A. That would depend. Of course there are several ways that a trap may be closed. At the present time the regulations require the trap to have an apron such as we are speaking of. Then there is also an opening in the lead which would guard against a situation such as that.

*By Mr. Neill:*

Q. Is the lead open?—A. No.

Q. So they hang around in that V-shaped net formed by the lead and the piece of trap, mill around there for 48 hours and when the traps are open, in they go? (No audible answer.)

*By Hon. Mr. Tolmie:*

Q. What evidence have you that these fish are waiting around there for 48 hours, hankering to be caught?

Mr. NEILL: Look at the picture on the map.

*By Mr. Kinley:*

Q. It is conceded everywhere that they will hang around when they strike an obstruction.—A. Well, sir, fish are peculiar animals. Sometimes you

[Dr. Wm. A. Found.]



will see certain things happening that you won't see at other times. I should not like to make a statement in regard to that.

Q. What is the length of the arms of the trap?—A. It depends on the size of the trap. I do not know what size it is. On a big trap it would be quite a distance.

The CHAIRMAN: I notice that some of the members are drifting out. Before you go I should like to ask if you are going to ask the house for permission to have the evidence and proceedings printed?

Mr. NEILL: Yes; we have already decided that.

The CHAIRMAN: You decided to ask the house if they would approve extending the notes. I do not think we have decided as to whether we would ask to have the report printed in French and English.

Mr. NEILL: What is the use of having it taken down if you are not going to make it available to each member. To do that you must have it printed.

The CHAIRMAN: Is it the wish of the committee to embody that in the report?

Some Hon. MEMBERS: Yes.

Hon. Mr. MICHAUD: I would suggest 500 copies in English and 200 in French.

*By Mr. Pottier:*

Q. We have these traps on the Atlantic coast?—A. These traps have a V-shaped entrance in the lead.

Q. It is the same idea.—A. These traps operate only on one side.

Q. When the trap is closed the salmon mill around.

Hon. Mr. MICHAUD: They will do that, unless you tie them to a post.

*By Mr. Kinley:*

Q. The trap you have there is not drawn to a scale?—A. The general idea is that fish follow a barrier and come to an opening. Of course, the combination Mr. MacNeil suggests has been seen to be the case. But you cannot say that fish will keep on doing a certain thing. They strike this barrier, and instead of following that they start back this way and strike that (indicating), and keep on milling in that direction.

*By Mr. Neill:*

Q. Evidence shows that they will hang around an obstruction for weeks?—A. Sometimes, some types of obstructions.

*By Hon. Mr. Tolmie:*

Q. What proportion will do that?—A. I would not like to say. There might be none hanging around. Again we must remember there are two thousand feet—

*By Mr. Taylor:*

Q. Is there any satisfactory way of fishing?

Hon. Mr. MICHAUD: That all depends on the fellow who fishes.

*By Mr. Taylor:*

Q. The point I am trying to make is this: as practically everyone knows all these methods of fishing have their disadvantages, and their disadvantages cause these factional criticisms that are coming up all the time. I have just as much criticism of the gill nets as I have of the seines and the traps. The gill nets apparently operate to allow the dwarf fish to pass through the meshes of the net and consequently year after year we get a succeeding depreciation in the

size of the fish. We are allowing present conditions, in spite of scientific facts, to interfere with the future value of our fishing. These things apparently bring to our minds the necessity of being very careful in our methods of fishing to see which is to the advantage of the people of the province and the country as a whole?—A. With regard to Mr. Taylor's statement, Mr. Chairman, it can be said that there is a feeling on the part of those engaging in certain lines of fishing that is opposed to other methods of fishing. But do not let the committee get the impression that the salmon fisheries of British Columbia are not being reasonably well protected. Let us take that one statement and get it right in the forefront. Had it not been for the strike at Rivers Inlet last year the biggest pack in the history of British Columbia would have been put out last year. Salmon were extraordinarily plentiful over all portions of the coast, notwithstanding the fact of the very intensive fishing that had been going on throughout the year.

*By Mr. Green:*

Q. Is it a fact that these trap fishers are the only Canadian fishermen that catch these sockeye before they get into American waters?—A. "Catch these sockeye."

Q. Catch the sockeye before they get into American waters?—A. They are the only ones, after they get here.

Q. They are?—A. Yes; except what might be taken out of that area (indicating).

*By Mr. Kinley:*

Q. Why is it the only place where the Canadians can get them?—A. Because it is the only type of fishing that is carried on.

Q. They can adopt other methods if they want to, the same as the Americans are doing?—A. There is nothing to prevent anything that seemed impossible to do from becoming possible, so far as we know. But let me go back to this statement. All business men are usually ready to avail themselves of any line to increase their industry that they can; and while fishing has been going on there for over forty years they have not yet developed methods of fishing, owing to water conditions in the area, other than that method that has proved successful.

Q. That is not the question. The question is, is this the only opportunity the Canadians have to catch the salmon before they come into American waters?—A. If they have the opportunity? I should say the whole water is open.

*By Mr. Green:*

Q. I did not say "opportunity." I said was that actually the only place that the Canadians were catching these fish?—A. That is how I understood the question.

Mr. NEILL: The answer is "no."

WITNESS: I immediately say from there (indicating) "no."

Mr. NEILL: That is not what he asked.

WITNESS: I answered him in that limited way, starting from there, no.

*By Mr. Green:*

Q. Is there any extensive Canadian fishing before the fish get into these traps?—A. Sockeyes?

Q. Yes?—A. I would doubt it very much. There is some out on the Swift Shore Bank.

[Dr. Wm. A. Found.]

*By Mr. Neill:*

Q. The fish in the Clayoquot sound would not be going into the Fraser river?—A. I think generally speaking the answer to that would be no, but I want to be careful.

*By Mr. MacNeil:*

Q. Is it not true the same interests that operate the traps, if the traps were closed, could operate the purse seines in the same area at Sooke?—A. I did not get that.

Q. The same interests who operate traps would likewise have the same opportunity as the Americans to operate purse seines in the waters that can be fished by them both?—A. Yes, no question of that.

Q. On the strength of that they could maintain the industry at Sooke, which would be the logical base for canning?—A. The fishing carried out on the Swift Shore Bank is different. That is the feeding ground and the sockeye taken from there is largely feeding fish and not desirable fish from a canning standpoint.

*By Mr. Taylor:*

Q. Has it been established where the runs of salmon are outside of the Swift Shore Banks? I am referring now to what Mr. Neill said as to fishing being done in Clayoquot Sound?—A. That would not be for the Fraser river run at all.

The committee adjourned at 1 o'clock to meet again on Monday, February 15, at 11 a.m.











*Canada, Marine and Fisheries  
Committee on, 1937*

SESSION 1937  
HOUSE OF COMMONS

*CAI XC 17  
-M13*



STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 2

MONDAY, FEBRUARY 15, 1937

WITNESS:

Mr. Chas. F. Goodrich, President, Sooke Harbour Fishing and Packing Company Limited, Sooke Harbour, British Columbia.

J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
OTTAWA  
1937



# MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

COMMITTEE ROOM 429,

MONDAY, February 15, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock a.m. this day, Mr. MacLean (Prince), Chairman, presided.

The following members of the Committee were present,—

*Messieurs:* Ferron, Green, Hanson, Kinley, MacLean (*Prince*), MacNicol, McDonald (*Souris*), Michaud, Neill, Pelletier, Pottier, Reid, Ryan, Stirling, Taylor (*Nanaimo*), Telford, Tolmie, Tomlinson, and Veniot.—19.

*In Attendance as a witness:*

Mr. Chas. F. Goodrich, President, Sooke Harbour Fishing and Packing Company, Sooke Harbour, B.C.

*Present:* Mr. L. Clare Moyer, K.C., Barrister of Ottawa, counsel for the above named company.

Dr. W. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

The Minister of Fisheries, Hon. Mr. Michaud, in response to request of the Committee at its last meeting, laid before the Committee for its information, part of a Departmental File comprising a petition from residents of British Columbia, with 1794 names attached, asking that fish-traps in B.C. be prohibited, file to be returned to the Department when inquiry is completed and reported upon by the Committee.

Note was taken that the name of Mr. Tomlinson was not registered in the attendance list of the previous meeting, although he was present on that date.

Discussion arose as to whether or not petitions to the Department, when laid before the Committee should become a part of the record. It was finally decided that the body of the petition itself should be printed as part of the record, together with the names of two or three of the first named petitioners and the *number only* of other signatures.

(See evidence this date for above petition, as Appendix No. 1).

Mr. Chas. F. Goodrich called and sworn.

The witness was examined by his counsel Mr. Moyer, and numerous questions were asked by different members of the Committee. The examination continued to one o'clock.



The witness filed with the Committee, and had distributed to each member, a small diagram map, showing sockeye salmon pack for ten years 1925 to 1934 inclusive, in percentages as between Fraser River, Washington State, and Sooke trap-nets, with accompanying statement showing catches in number of cases and percentages.

The witness retired, to be called again at the next meeting.

Discussion followed as to the date of the next meeting, the Committee finally deciding on Thursday, February 18th, at 11 o'clock a.m.

By general consent the Committee adjourned.

E. L. MORRIS,  
*Clerk of the Committee.*

## MINUTES OF EVIDENCE

HOUSE OF COMMONS, ROOM 429,

February 15, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock, a.m. Mr. A. E. MacLean, the chairman, presided.

The CHAIRMAN: Gentlemen, will you come to order. We are glad to have the Minister of Fisheries with us again this morning, and also Dr. Found. I think possibly Dr. Found fairly well completed his statement at the last meeting.

Mr. FOUND: Entirely.

The CHAIRMAN: We have Mr. Goodrich here from British Columbia, represented by Mr. Clare Moyer. If it meets with the approval of the committee, they would like to present their side of the case this morning.

Mr. NEILL: Has Mr. Found finished?

The CHAIRMAN: He says he has.

Mr. NEILL: There are a few points I should like to clear up in connection with his evidence given the other day, if I might.

The CHAIRMAN: We might do that first.

Mr. NEILL: Might I go on with Mr. Found?

The CHAIRMAN: Yes.

WILLIAM A. FOUND, Deputy Minister of Fisheries, recalled.

*By Mr. Neill:*

Q. Mr. Found, on page 4 of the printed report of the committee's proceedings of the other day Mr. Kinley asked you this question:

What size of mesh is used in the pot and in the trap itself?

Your answer which you gave there was:

That net is  $3\frac{1}{2}$  inches in mesh.

I looked up the regulations, page 27 of the British Columbia Regulations, and found this:

"The mesh of such trap-net shall not be less than 6 inches, extension measure, in the leader or lead, nor more than 2 inches, extension measure, in the heart, crib or pot."

Extension of 2 inches means, of course, when it is pulled close together like that (indicating) so that it would not be much more than 1 inch square; because this 2 inches, extension measure, is counted when it is pulled together. Therefore the 2 inches, extension measure, will probably indicate an ordinary mesh an inch square. Even a clam could not go through. Would you like to change your evidence, when you said that it was  $3\frac{1}{2}$  inches? I suggest you made a mistake.—A. Well, Mr. Chairman, if I said  $3\frac{1}{2}$  inches, of course I was wrong. But I think that the evidence there will show at the time that the lead to the trap—I have not got it before me and did not have a chance of looking over it—was of large mesh and the trap itself was necessarily of small mesh, as it was designed to catch the fish without enmeshing them, rather than to let them be gilled. I would like to correct my evidence, and thank Mr. Neill for pointing it out, if I said that that was  $3\frac{1}{2}$  inches.

Q. I wanted to make it clear. It conveyed a wrong impression to Mr. Kinley. Then on page 12 you stated in answer to a question by Mr. MacNeil, that the percentage of fish passing through these traps was about 2 per cent of the Canadian and American caught fish. I find in a letter of Major Motherwell's who is the Chief Supervisor of Fisheries in British Columbia, and he was writing under the date of January 13, 1936, as follows:

The catch of sockeye by the Canadian traps this year—that would be 1935—represents approximately 5 per cent of the catch made by the fishing gear in Puget Sound and in the Fraser River district combined. Would you explain the difference between his statement and yours?

The CHAIRMAN: While Mr. Found is looking that up, if I remember correctly the committee was led to believe that this lead coming out from the shore to the net proper had a mesh of 6 inches.

Mr. TOMLINSON: What was that again, Mr. Chairman?

The CHAIRMAN: That the mesh are 6 inches, that it was a 6 inch lead.

Mr. NEILL: It is that. It is the pot that we were told was  $3\frac{1}{2}$  inches and which now turns out to be 2 inches.

The CHAIRMAN: When the fish come into the pot or smaller portion of the net, it has smaller mesh.

Mr. NEILL: Yes.

The CHAIRMAN: That is the impression I gathered.

Mr. NEILL: The mistake was the difference between  $3\frac{1}{2}$  inches and 2 inches.

Mr. TOMLINSON: How long is that lead coming out there?

The CHAIRMAN: Apparently it depends on the depth of the water. I think that the lead is supposed to be—

Mr. MACNICOL: What is the size of the mesh?

Mr. MOYER: I have a witness here who will answer the questions that are being proposed now.

Mr. NEILL: We are asking Mr. Found, and asking him to make his evidence jibe.

Mr. MOYER: I am sorry.

Mr. MACNICOL: What is the size of the lead mesh?

The CHAIRMAN: The lead mesh is 6 inches, is it not, Mr. Found?

The WITNESS: Six inches is right. I want to be quite sure about this thing. Yes, the mesh of such trap net shall not be less than 6 inches, extension measure, in the leader or lead, nor more than 2 inches extension measure, in the heart, crib or pot.

Mr. Chairman, I did not have a chance to look over this, but I think you will see that in my opening statement I said I was speaking from memory and subject to correction. I would like some time. I do not seem to have my figures before me, but that statement of the catch of the traps, so far as sockeye is concerned, making up about 2 per cent of the Fraser River run,—that is the catch that was made of the fish that were making from Juan de Fuca Strait to the Fraser River,—strikes me as being about what I had in mind. Here is the memo that I possibly had in mind:—

It may be of interest here to note that in 1933 and 1934, the last two years of trap-nets in the State of Washington, of the sockeye catch proceeding to the Fraser taken in Puget Sound waters, 54.9 per cent was obtained by trap-nets, 44.3 per cent by purse seines, 0.4 per cent by gill nets and 0.4 per cent by other methods. In British Columbia from



the same runs 7·7 per cent was secured at the Sooke traps and the balance by gill nets, excepting a portion by purse seines. Of the combined catch of Fraser River sockeye by the two countries, the Sooke traps took 2·2 per cent.

That is the figure I had in mind.

*By Mr. Neill:*

Q. Then Major Motherwell was wrong?—A. He may be. That is the statement I make there, speaking from my memory.

Q. When Major Motherwell says it was 5 per cent, he is wrong?—A. I would not like to say more than that is my present information. I would like to confirm it.

Q. I just want to get the thing cleared up, because the difference between 2 per cent and 5 per cent is considerable. Major Motherwell says it is 5 per cent.

Hon. Mr. MICHAUD: What is that statement which you are reading from?

Mr. NEILL: A letter from Major Motherwell to Dr. Found.

Hon. Mr. MICHAUD: In what report of Major Motherwell did you read that?

Mr. NEILL: It is just a letter dated January 13, 1936.

Hon. Mr. MICHAUD: In the letter?

Mr. NEILL: Yes, of Major Motherwell, file 721/4/6.

Hon. Mr. MICHAUD: In a letter to the deputy minister?

Mr. NEILL: Yes.

The WITNESS: I would like to check it, Mr. Chairman.

*By Mr. Neill:*

Q. There is just one other thing. On page 11 of the other day's report you contradicted me, or rather I contradicted you, when you started to say that it was generally accepted that the fish last year, for some reason utterly unknown, differed from their usual route and came down the inside of Vancouver Island. You said that that was generally accepted by everybody who knew what they were talking about. I wonder if your attention has been called to this statement made by Mr. Brennan, who is director of fisheries in the State of Washington, and who is generally admitted to be a man conversant with what he is talking about. He was reported as follows:—

An analysis of the run through American waters did not verify reports that the bulk of the run came through Johnstone Straits and down the inside waters of Vancouver Island. An analysis of the return per unit of fishing effort reveals that the run was considerably larger than the previous year's, although less fish were caught. There is no question that a run did come through from the north, but there is no evidence of a greater increase in this run in proportion to the increase in the run through American waters, the report says.

A. Yes.

Q. I would like to end by asking if you have any comment to make on that?—A. No, Mr. Chairman. I just stand by what I stated in my evidence, that my opinion—I think you will find that the substance of what I said was that in my opinion the fishermen as a general thing were of the opinion that more fish came down through Johnstone Strait this year than usually; and I elaborated that. I gave my reasons for coming to that opinion, one of them being that we got a much larger portion of the catch last year. The traps did not get a larger proportion. In fact, it was not as large as the year before; in fact, the catch of the traps was not as large in 1936 as it was in 1935.

Q. Mr. Brennan is an authority?—A. Quite so.

Mr. TOMLINSON: Dr. Found, I wonder if you could answer this question: I understood there were 4 licences issued last year.

Hon. Mr. MICHAUD: No, more than that.

WITNESS: Seven, I think.

Hon. Mr. MICHAUD: Four traps operating.

,WITNESS: Four traps operating.

*By Mr. Tomlinson:*

Q. Yes, four traps operating. Has any application been refused for a trap licence?—A. Not in that area.

Q. Not in that area?—A. Not that complied with the regulations.

The CHAIRMAN: There was just one other matter that possibly we should clear up before we proceed with to-day's meeting. You will remember that there was a petition presented from a number of residents of this area, and it was suggested that there was another petition signed by a larger number from another section. Would it be in order to have that other petition?

Hon. Mr. MICHAUD: Yes.

Mr. TOMLINSON: Placed on the record.

Hon. Mr. MICHAUD: Yes.

Mr. MOYER: In that connection, Mr. Chairman, there are several petitions from the Sooke area. There is one from the residents of Sooke, 200 or more. There is one from the Canadian Legion branch there. There is a petition signed by about 70 indians in the vicinity of the cannery and there are one or two others, I believe, on the Minister's file.

Hon. Mr. MICHAUD: You would include the request of the legion, members of the legion, of the Great War Veterans of that district?

Mr. MOYER: Yes, I mentioned that.

Hon. Mr. MICHAUD: And of their wives, the Women's Auxiliary of the legion of that district as well?

Mr. MOYER: That is right.

Mr. NEILL: There was also a wire addressed to the minister, and they asked that it be presented to this committee. I suggest that should be done. It was signed by a man Miller.

Hon. Mr. MICHAUD: Yes, certainly. I am having all those wires put together in order to present them later.

Mr. MOYER: I believe, Mr. Chairman, there was also a resolution of the Victoria Board of Trade which was communicated to the minister.

Hon. Mr. MICHAUD: Those are being typewritten in order that copies may be put on the record. I do not want to part with the originals. But the petition referred to at the last meeting by Mr. Neill, I presume is the large petition dated September 1, 1936, and the heading seems to have been mimeographed and signed all over the district.

Mr. NEILL: By how many?

Hon. Mr. MICHAUD: I suppose there are 1,800—1,794.

Mr. GREEN: Which district is that from?

Hon. Mr. MICHAUD: Well, it is apparently from all over the island.

Mr. MACNICOL: Signed by fishermen?

Hon. Mr. MICHAUD: Oh, no—well, I don't know.

Mr. FOUND: It is largely signed by others.

Hon. Mr. MICHAUD: On the first page here, the occupations given are: Aviator, salesman, light keeper, salesman, salesman, clerk, mechanic, housewife, insurance broker, householder; the next page, painter, paint maker, storekeeper, and so on.

Mr. MACNICOL: What are they petitioning for?

The CHAIRMAN: They are petitioning against traps.

Mr. MACNICOL: What would these people with those vocations know about that?

Mr. RYAN: They may not know very much about traps. At the same time, the people living in that district have an indirect interest in such matters. I know that in my constituency matters in connection with fishing are far-reaching; and I think the people, no matter what their vocation is, who live in the area have an interest in the community. I do not know anything particularly about this petition, but I do say that you must give respect to those who are indirectly interested as well as those who are fishermen.

Mr. TAYLOR: Following that up, may I ask the minister what the addresses of those people are.

Mr. NEILL: I suggest the minister read them out.

Hon. Mr. MICHAUD: Thank you.

Mr. NEILL: There must be 1,800 of them.

Hon. Mr. MICHAUD: Among the addresses are Cook street, St. Patrick street, Hastings, Albert street, Cornish street, Albert Head, Colwood, and so on.

Mr. TAYLOR: One place there is over 20 miles away from the Sooke area.

Mr. REID: I do not think that has much bearing on it. I could get 2,000 signatures on the Fraser river area.

Hon. Mr. MICHAUD: Then there is Saanich.

Mr. TAYLOR: That is about 40 miles away.

Hon. Mr. MICHAUD: And Bamfield.

Mr. TAYLOR: Bamfield is 60 miles away.

Mr. NEILL: Bamfield is vitally interested and it is a fishing centre.

Mr. REID: We would not dispute that.

Hon. Mr. MICHAUD: Pachena, Salt Spring, Rocky Point—

Mr. RYAN: We are going to have this petition on the record, why bring the names in now?

Hon. Mr. MICHAUD: Because the information was asked for and I am trying to give it to the best of my ability. There are some 1,794 names and addresses on the list.

Mr. RYAN: Is it your intention to have these all placed on the record, Mr. Chairman?

The CHAIRMAN: I do not think we can publish all these names. I think we had better settle that right now. The clerk of the committee wants to know how many of these names are to be published. I think it would be in order to give the first two or three names and then say that 1,790 followed.

Mr. REID: That is all right.

Mr. TOMLINSON: And you should, of course, include the heading of the petition.

The CHAIRMAN: Yes, the petition will be incorporated in the record, and it will be followed by the first few names on the petition and then the number of those following will be indicated.

Mr. NEILL: Perhaps I might say for the information of the committee that from the names which have been indicated it is apparent that the petition was signed by people living in the vicinity of Victoria and generally on Van-



couver Island and along the west coast, and they did not sign because they were particularly interested in that one site but rather because they were interested in the subject generally. It was signed by people in Victoria, Vancouver and the district which I represent, and the district which is represented by Mr. MacNeil and by people at fishing centres generally.

Mr. GREEN: I think in fairness to the members of this committee who do not come from British Columbia it should be made quite clear that this question only concerns the Fraser River run and that, for example, fishermen in Mr. Neill's district are not affected one way or another.

Mr. NEILL: I object to that. We are vitally interested.

Mr. GREEN: I say they are not interested because of the fact that they are affected.

Mr. NEILL: We are, pardon me.

Mr. GREEN: From the places where these people reside it is quite obvious that they have nothing whatever to do with fishing involved in the area where these traps are located.

Mr. NEILL: I want to go on record as objecting to that. You might as well say that laws passed in Ottawa are only for the people of Ottawa. These petitions are filed on behalf of fishermen in British Columbia, and I am quite prepared to prove that.

Mr. KINLEY: As I did not hear it mentioned this morning I would ask if the petition now being referred to is from the employees at these four traps.

The CHAIRMAN: You will find that petition published in the return.

Mr. REID: Mr. Green I think will admit that the question of traps in British Columbia is a question of vital interest to all. It is not merely a question of the four traps in Sooke. We are not arguing the principle that traps should be established at Sooke at all, that is established; having established that we establish the principle that traps should be allowed at other points in which other fishermen are interested. I think that is a fair statement to make.

Mr. GREEN: I do not think it is. We are concerned with the Fraser river run only.

Mr. REID: It is a fair statement.

Mr. TOMLINSON: I think it is a fair statement.

Mr. TAYLOR: The Fraser river only is interested in this particular instance.

Mr. REID: The Fraser river is one point, you can't get around that; they are vitally interested, but I claim that the principle at stake is the principle of traps for the whole province of British Columbia.

Mr. POTTIER: Are there other places where they use traps in British Columbia? It seems to me that the matter of principle is involved.

Hon. Mr. MICHAUD: That might be true to a certain degree, but we must not overlook the fact that for 33 years the principle has been adopted that no traps should be permitted in any other area than that at Sooke.

Mr. REID: I grant that, Mr. Minister, if you take the resolution as it was brought down. We thought we were coming down here to debate the question of traps at Sooke; now we find that it embraces the whole question of traps in British Columbia, that means the whole thing.

Mr. NEILL: Yes.

Hon. Mr. MICHAUD: You must not forget that this was the principle which you submitted to the house, and which I undertook at your request to bring before the committee.

Mr. GREEN: The minister stated distinctly in the house that there would be no licences issued to any other places.

Hon. Mr. MICHAUD: That is a practice which has been observed for the last 33 years.

Mr. TOMLINSON: I would like to know why that principle was settled on; whether there had been any licences issued for other places, even if it has been a custom for the last 33 years.

Mr. NEILL: There were some issued in 1925.

Mr. REID: It was considered by the fishing industry to be a most destructive form of fishing and therefor it was abolished.

Mr. GREEN: There is nobody else asking for it that I know of.

Mr. NEILL: Then you should get in touch with the British Columbia section of the Canadian Manufacturers' Association at Vancouver.

Mr. TOMLINSON: I would just like to find out why that custom was settled on.

Mr. FOUND: My evidence of the other day I think makes that fairly clear, that there is an exceptional condition so far as that area is concerned in that the fish making for the Fraser come in toward the Canadian shore and after they pass that point they go over to the United States' side and do not emerge therefrom until they get up around Point Roberts, during which time they run the gamut of the whole state of Washington fishermen. That is the reason for this being an exceptional situation. The whole run of fish to that area depends on the Fraser river for its reproduction, and things were getting so that up to two years ago we were getting a very small proportion of the catch.

Mr. TOMLINSON: I do not want to be taken as being prejudiced at all, because I am a long way from Vancouver, but I would like to have it clear in my mind how the department came to make that decision with respect to this particular spot; if an application for a trap were to come from some other part would it be refused?

Mr. NEIL: There is no law against it.

Mr. TOMLINSON: I understand that.

Mr. FOUND: It is a matter of policy, the department has been refusing licences in other areas for the past thirty years or more.

Mr. NEILL: I would like to tell these gentlemen some of the reasons why I think it has not been allowed for over 30 years. I had something to say about this matter some years ago, and on June 10, 1929, if you care to look up Hansard you will find where there was a debate respecting fish traps in British Columbia waters, and I have in my hand a copy of what I had to say on that occasion. An application was being made to Parliament favouring the re-establishing of traps throughout British Columbia, but when I say that perhaps I should qualify it by stating it related to points in the northern part of British Columbia; and they sent a commissioner up who decided in favour of traps. You will find from the report of the debate on that occasion that the arguments were all gone into very very fully. The debate was participated in by the various members from British Columbia—conservative, liberal and so on; and the decision was, in spite of the commissioner having recommended it, the government decided to allow no more traps. The question is one which has been brought up every now and then. This is another time it is being brought in. It was turned down in 1929 and again in 1925. It was brought up in 1925 or 1926, this principle of establishing traps in the north, and the then government, which was liberal, refused it. That government was defeated and the conservatives got in, and allowed a number and the agitation began all over again; then the premier Mr. Meighen went out to British Columbia to look the situation over himself and immediately issued orders that they were to be stopped, and they were stopped. An attempt was made again in 1929—

they try it out with each government in turn to see if they can get away with it. They seem to be very much concerned about our British Columbia traps. At the time of this investigation about which I am talking, in 1929, the argument was advanced that if it was right for them to have traps at one point in British Columbia it was equally right for them to have them up there in the north, or in any other part.

MR. GREEN: There is no attempt to open up any other part, the attempt here is to do away with even these traps.

MR. NEILL: Yes, I wanted to confine it to that. However, it affects every fisherman and every fishing interest in British Columbia.

HON. MR. MICHAUD: In order to be completely fair I think you should state that the question has been brought here in the form in which it was brought before the house. I think you will agree to that?

MR. NEILL: Yes, I do; I wanted it to cover everything.

HON. MR. MICHAUD: And the wording of the reference is such that it does cover everything.

THE CHAIRMAN: It was referred to the committee on that basis.

MR. NEILL: It is quite open. What I was replying to was the point raised by Mr. Tomlinson, that we should consider traps all over British Columbia.

THE CHAIRMAN: So far as the petition is concerned I think it goes without saying that everyone interested whether directly or indirectly has a right to sign.

MR. TAYLOR: Since this is very definitely established as a peculiar case, and since there are no other cases like it presented to us, could we not restrict this discussion to the use of traps at Sooke?

MR. REID: Yes.

MR. TAYLOR: It affects the fish going into the Fraser river, and the arguments which would apply for other parts of British Columbia would not apply to this area; and conversely the arguments which apply here would not apply in support of traps at other points.

THE CHAIRMAN: Well, generally speaking, I think it will be agreed that we are dealing with these four traps at this particular point at the present time. We have a witness here who has come to give us evidence and I think it would be well probably for us to hear him at this time.

MR. RYAN: Mr. Chairman, the order of reference is not restricted.

THE CHAIRMAN: No.

MR. RYAN: The order of reference reads:—

“That the question of the advisability of the government issuing traps fishing licences in British Columbia waters be referred to the standing committee on Marine and Fisheries for study and report.”

I am not familiar with procedure in committee but I was wondering whether or not the committee had the power in any way to restrict or modify a reference to it?

THE CHAIRMAN: I do not think so. It would have to be referred back to the house for such action as that body deemed appropriate.

MR. HANSON: The principle before us is indicated in the reference and that is in our record. This company has had a privilege for 30 or 40 years and now we are asked to extend that privilege to them without giving consideration to others who are engaged in the same business. As I said in the house I think it is about time that there should be uniformity in this respect; either let everyone have it or take this privilege away from the few who have had it so long.



I am interested in canneries myself as you all know, and quite naturally I would like to have a trap. If I could have a trap right at my cannery I could catch all the fish I needed with which to operate my plant through the employment of 12 or 15 men, as things are it takes between 300 and 400 men to get the same amount of fish to my plant; and yet we have to compete with these privileged people who have traps. I am not saying that I am against these traps in the Sooke area, because it does not interfere with us up north, but in fairness to fishing as a whole in British Columbia I think some adjustment of the matter should be made. I have dozens of letters from fishermen's organizations in my district, and also from the district adjacent, which show that they are absolutely opposed to the issuing of licences for traps at any place in British Columbia. It is from that point of view that I am speaking; why should we go to work and extend this privilege which this company has had for the past 30 or 40 years; or, why should we not put the whole fishing industry of British Columbia on the same basis.

Mr. TOMLINSON: Mr. Chairman, I should like to mention that I notice my name is not shown in the report as being present at the first meeting. I was here.

The CHAIRMAN: Yes.

Mr. TOMLINSON: I should like that corrected.

Mr. MOYER: I should like to call Mr. Charles F. Goodrich.

Mr. NEILL: Are you going to swear the witness?

Mr. REID: They do it in other committees.

Hon. Mr. MICHAUD: What committees?

Mr. MOYER: We do not object.

Hon. Mr. MICHAUD: I have no objections.

The CHAIRMAN: My information is it has never been done in this committee.

Mr. TOMLINSON: I would ask that this man be sworn.

The CHAIRMAN: Is it the wish of the committee that the witness be sworn?

Mr. RYAN: In this way, if you are going to swear one witness, swear them all; make it a general rule.

Mr. MOYER: Some of the evidence is already in.

Mr. NEILL: Yes; I wish that it had been sworn.

Mr. MACNICOL: Has any witness been sworn?

The CHAIRMAN: No.

Mr. MOYER: We do not object to being sworn.

Mr. REID: A departmental witness is usually speaking under authority of his office.

Mr. TOMLINSON: The deputy minister can confirm his evidence under oath.

Mr. RYAN: Mr. Chairman, I move that all witnesses be sworn.

Mr. TOMLINSON: I second that motion.

Motion agreed to.

The CHAIRMAN: The clerk has gone to look for the Book, Mr. Goodrich.

Hon. Mr. MICHAUD: I hope he finds one.

Mr. NEILL: You might ask the witness his name, etc.

CHARLES F. GOODRICH, called and sworn.

Examined by Mr. Moyer.

Q. Mr. Goodrich, you are the president of the Sooke Harbour Fishing and Packing Company, I believe?—A. I am.

Q. Whom do you represent at this meeting?—A. My own company and that of J. H. Todd and Sons, also of Victoria.

Q. Will you explain to the committee how you and the Todd Company operate?—A. We have a system of co-operation at the present time. Each company, however, is a separate and distinct company and there is no share of stock in one company held by any shareholder of the other company, no interlocking to any extent like that.

Q. You and the Todd Company operate all the fish traps on the south coast of Vancouver Island?—A. Yes.

Q. How many were in operation last year?—A. There were four in operation last year.

Q. How many do you propose to operate in 1937?—A. Five.

Q. Can you tell the committee something about the investments in the industry?—A. The investments in the industry would be probably between two and three hundred thousand dollars, if you were to include the investment in the Empire Cannery and its equipment as well and the plant there, which is dependent upon the operation of the traps for its continuance.

Q. How many employees have you—when I say “you” I mean the two companies.—A. The two companies combined? I have no record of the exact number of employees of the Empire Cannery at Esquimalt, but at our plant at Sooke we have from 40 to 45 employees, possibly a few more, but ordinarily between 40 and 45 employees.

Q. In connection with the operation of the trap nets?—A. Yes.

Q. What is the nationality of your employees?—A. They are all whites and Indians and about 25 per cent of them are returned soldiers.

Q. What is the average age of your employees?—A. From the petition that the 41 employees signed, which is the only record that I have of the age of all of them, which was, I think, accurately computed, the average age was  $42\frac{1}{2}$  years.

Q. How long have they been in your service?—A. There is almost no labour turnover. The average length of service of these 41 men was, I believe,  $13\frac{1}{2}$  years.

Q. Can you tell the committee in a general way what you and your associated company have been paying to the provincial and dominion governments in the way of taxes?—A. I have no records of the payments of taxes by the firm of J. H. Todd and Sons, their records do not pass through my hands, but my own company—

Q. Mr. Neill has asked me to ask you to allocate the investment according to your company and Mr. Todd's company.—A. Yes, I will try to do that.

MR. KINLEY: Has he not a balance sheet?

THE WITNESS: No, I have not. Taxes and licences, may I answer that question first?

*By Mr. Moyer:*

Q. Yes?—A. During the eighteen years that my own company has been in existence we have paid to the dominion government for fishing licences and income tax \$75,814.20.

MR. NEILL: Can you divide it up between licences and income tax?

[Mr. Chas. F. Goodrich.]

*By Mr. Moyer:*

Q. Can you separate those figures?—A. I have no figures on hand to do that.

*By Mr. Kinley:*

Q. What period is that?—A. Up to and including 1935, from 1918 to 1935 inclusive.

Q. How many years?—A. Eighteen years.

Mr. NEILL: We certainly want the difference between fishing licences and income tax.

The WITNESS: The point in making this statement is, if our company disincorporates and ceases to do business, these payments whether under one name or another will entirely cease to the dominion government. We were simply trying to point out roughly the amount of revenue which the dominion government would sacrifice if our company was compelled to cease business.

*By Mr. Tomlinson:*

Q. Would your income tax cease?—A. Naturally, because there is no other way for us to continue in business. Our business is entirely predicated upon the trap licences. If these licences are discontinued the Sooke Harbour fishing and packing company will dispose of its assets, be compelled to, and go into voluntary liquidation.

Q. But the officers of the company would still pay income tax?—A. The officers are not included in here; I am speaking of the corporation as an entity.

*By Mr. Ryan:*

Q. Which is the larger concern, the Todd concern or your concern?—A. J. A. Todd and Sons is a much larger concern.

*By Mr. Moyer:*

Q. I think you said J. H. Todd and Sons own a cannery, in addition to having an interest in traps?—A. Yes; they own a cannery in its entirety.

*By Mr. Reid:*

Q. Where is the cannery?—A. The cannery is at Esquimalt, known as the Empire Cannery.

*By Mr. Neill:*

Q. How far is it from the traps?—A. Oh, possibly twenty miles.

Q. Mr. Taylor wanted to confine it to ten.

Mr. TAYLOR: No, I did not say ten. My first observation was that it was probably twenty miles away from Sooke.

The WITNESS: In the same length of time we have paid to the provincial government in licences, foreshore rental, real estate, etc., \$65,563.44, a total of \$139,277.64, computed on an average of \$7,737.65.

*By Mr. Tomlinson:*

Q. Per year?—A. On an average, that is averaged over an 18 year period.

*By Mr. Moyer:*

Q. A moment ago you told the committee you had between 40 and 50 employees. As a matter of fact, how many people live in the Sooke Harbour community dependent on your industry?—A. I should say at least 300 people were dependent upon the industry in one form or another.



*By Mr. Kinley:*

Q. It is not a full-time industry?—A. Practically so—it is seasonal, true, but it lasts—

*By Mr. Moyer:*

Q. I am glad Mr. Kinley brought that up now, because I think it is a proper time to ask the witness to explain how the employees worked and how many employees there were who worked. Can you do that?—A. Yes, I will. The first of our operations have already started, they started in on the 8th of February this year, I believe. Possibly ten or twelve of them will start in at about this time of the year making up the wire netting and the cotton webbing which will later on be installed upon the fishing nets, the cotton web installed being such as is not new, or has to be carefully overhauled, mended and tarred, and new web tarred as well, and the gear all made up. Very shortly thereafter men, additional men, are put on to the pile driver. Their business is to first haul the piles from the web spit where they are stored for the winter. We store them as to lengths, make them up in convenient form to be got out in booms, and then the driver, the pile driver, starts out with probably ten to twelve men. They drive the piles which form the frame work for the trap as shown on your sketch here and then following them another number of men go out and cap the trap and hang the web upon it.

Q. What do you mean by capping the trap?—A. These piles that are indicated here on your sketch are driven, approximately, ten feet apart and at the top of these in that manner would be lashed by heavy wire strands three-eighths of an inch in diameter. These capping piles, I say, are lashed to the upright piles and they are called cap piles.

Q. That sketch is obviously not drawn to scale?—A. I presume not. I do not know as to that. I could not say.

Q. When you are speaking of piles, and the distance between them, how many piles do you use in a lead of one thousand feet, say?—A. Well, you would have approximately one hundred upright piles, and the number of capping piles you would use would depend upon the length of the capping piles. They do not have to be any specific length. They simply form the top diameter.

*By Mr. Neill:*

Q. They are braced near the top?—A. The lash for the web hung there.

*By Mr. Moyer:*

Q. One of the members of the committee, Mr. Goodrich, has asked me to ask you how long your leads are; how far are the traps from the fore shore?—A. That depends on the contour of the ground and the character of the driving and the depth of water. There are no rigid regulations, I believe, in regard to that, but, as you know, shores usually drop off more or less sharply. In some cases the lead might be and is only about 600 feet; in other cases it is much longer. I think about 2,000 feet is the maximum limit of any one trap that we operate. I think the shortest one is about 600 feet.

Q. Now, reverting to the operation of your labour; you got up to the point where they are getting the traps installed?—A. Yes. After your trap is capped and hung and everything is complete then you leave from three to four men—sometimes more—usually, not more than four—in charge of the trap to act as watchmen. It is their duty to see that the kelp and seaweed is cleaned away from this wire netting, otherwise you would have a solid bank of it which, with the oncoming tide, would probably take your trap entirely out. There is always that danger and they have to watch for that. And then also

[Mr. Chas. F. Goodrich.]

when you go and leave a small number of men there they are kept there as watchmen and do not, as a rule, do the actual lifting; you go out with a lifting crew—eight or nine men. Unfortunately, I might have brought much more interesting pictures, but the only one I happen to have is—

Q. The witness has a photograph of men making a lift, which may interest someone.—A. That will alter with the process of lifting the salmon out of the trap, and is rather a good photograph, I think.

Q. How long does the operation at the traps run?—A. That is all over, practically over, in the early part of October, as a rule.

Q. Starting when?—A. Starting about the first of June.

Q. Then what happens?

*By Mr. Neill:*

Q. The first of June and the first of October?—A. I say that is the head of the run. It is not possible to answer your question unequivocally for the reason that the traps do not start in simultaneously. As you complete one trap—the earliest traps would very likely be fishing about the first of May; then as the traps are completed they are started fishing, and in the fall you start pulling them.

Q. Up to when? October?—A. Yes.

*By Mr. MacNicol:*

Q. Are they in operation all summer long?—A. I beg your pardon?

Q. Are they in operation all summer long?—A. From the time they are completed until the time to the end of the fall.

Q. In other words, they are catching fish all the time?—A. We hope they are; sometimes they are not.

Q. If the fish come along the trap is there to catch them, is it?—A. Well, of course, I answered your question in general terms. There is, of course, the weekly closed time which has been called to your attention.

Q. I beg your pardon?—A. There is the weekly closed time of forty-eight hours.

Q. I do not understand that?—A. All fishing gear practically is subject to a weekly closed time; there is no fishing between certain hours and up to certain hours.

Q. During the closed time, can the fish go straight on?—A. Yes.

Q. If so, how?

*By Mr. Moyer:*

Q. Perhaps the question could be answered more impressively if you told Mr. MacNicol how wide the strait is at that point and how far out your leads extend.

MR. MACNICOL: I, perhaps, know less about fishing than you, Mr. Chairman. I may ask a silly question, and if I do forgive me for asking it. I was wondering if the traps are not in operation how the fish get by? Are the traps elevated or are there gates through which the fish can pass?

THE WITNESS: There is an apron that closes the trap effectively about in this position here (indicating) during the closed time which absolutely prevents—as is intended to be depicted, this shows the direction in which the fish are naturally travelling. If you will look at your coloured sketch you will see the entrance to the straits. The fish are on their way, having entered the strait of Juan de Fuca—they are on their way to the spawning bed. This, I presume, represents the direction in which the fish are travelling (indicating chart of a trap). This particular drawing here is not accurate to that extent. There are

traps started like this in certain places which would fish both on the flood and the ebb tide. Now, then, this entrance to the traps is normally closed because there is no fishing on the ebb tide. The fish come in here (indicating). Now, they have an apron which drops down over the top of these capping piles, down to the bottom, effectively preventing the entrance of any fish, not only during the closed time but at night. That is always dropped at night. Reference has been made to trap fishing twenty-four hours a day. It is not active—

*By Mr. MacNicol:*

Q. Then the fish can go back around?—A. Yes, if they are coming in here—if there are any fish coming in here on the flood tide. There might be a limited number of them congregate here for a limited time; but when the tide ebbs and goes the other way the fish would no doubt go the other way.

Mr. NEILL: Is it forbidden by law to fish at night?

*By Mr. Moyer:*

Q. Mr. Neill asks whether you are forbidden to fish at night?—A. No; neither are the purse seiners.

Q. Why not?—A. Because the trap will not fish at night; and furthermore if the watchman did not drop that apron as the last thing he does before going ashore at night he not only would not catch any fish during the night but he would lose whatever fish he would have in the trap, or a large number of them, because the phosphorescence of the water is such that it illuminates the walls of the trap like a wall of fire almost, and this opening here is simply an open door. You might as well say, "come on boys, this way out."

*By Mr. Reid:*

Q. Is the trap in operation from the 1st of May until October?—A. Yes, providing nothing happens to it; that is, with the allowance I said of the weekly closed time.

*By Mr. Neill:*

Q. How does it happen that you can operate on the 1st of May and in other places it is along about the 1st of June—that is for sockeye?—A. We do not operate for sockeye at the end of May; there are none in the water.

*By Mr. Moyer:*

Q. How long does the sockeye run?—A. It usually starts—you may possibly find a freak sockeye along in June, but the main run, where you catch them in really appreciable quantities starts about the 10th of July and lasts approximately—

*By Mr. Pottier:*

Q. Are these traps about the same value in fishing? What is the best fishing trap of the four? Does the last one catch as much as the first one on the average?—A. It happens there are only four traps illustrated here by these seals. This year we will operate one additional one here (indicating). It happens that the sockeye salmon licence which is now indicated as the first trap and which, if we built the other one as we anticipate, will be the second trap, is probably the best sockeye trap of the four—not because it is first.

Q. How does the last one compare with the others?—A. These two—well, I visualized one more trap. I will discuss the five.

*By Mr. Moyer:*

Q. Call them 1, 2, 3, 4 and 5?—A. We will call this one No. 1. Probably this trap would have ordinarily the best of the sockeyes.

[Mr. Chas. F. Goodrich.]



Q. That is No. 1?—A. No. 1. That is now No. 1, yes, but would be No. 2 if we built the other trap this year. The third would not be—the third and the fifth would not be so good. This one in here is also—

Q. The fourth?—A. Yes, it is quite good. They are not in a straight line, however, in operation.

*By Mr. Kinley:*

Q. What is the distance between them?—A. Oh from a matter of miles distant, possibly ten miles.

Q. Between traps?—A. Oh, no, between the first one and the last.

Q. There are five traps in ten miles?—A. Yes.

Q. Are they all at right angles to the shore?—A. Presumably, yes.

*By Mr. MacNicol:*

Q. And that is where the salmon first touch the Canadian shore, or go near the Canadian shore?—A. You can see it rather vividly upon the map here. Here are the locations of our traps. The first one I have indicated is about here (indicating); now, the last one is right off here (indicating).

*By Mr. Moyer:*

Q. Mr. MacNicol asked the question: do the sockeye first touch Vancouver island where your traps are located?—A. The sockeyes enter the straits here (indicating). They play around for some distance, and sometimes, as a rule, off Cape Flattery and Neah Bay there appear to be feeding grounds there which cause them to school up, and they are taken in very considerable numbers there by purse seine boats, practically all of which are American. I have the figures with me from the Pacific Fishermen, that on August 16, 1934, a fleet of 52 purse seine boats belonging to the Everett Packing Company of Everett, Washington, took in one day 107,000 sockeye off the Swiftsure banks, which happens to be a trifle over 150 per cent of all the sockeye that we took at Sooke during the entire season. That was one day's catch. I have the Pacific Fishermen with me, which I will be glad to leave with you.

*By Mr. Neill:*

Q. Fifty seine boats, did you say?—A. Fifty-two.

Q. How many would they employ in each seine boat—seven?—A. I presume 6 or 7.

MR. MOYER: I do not think you finished your answer a moment ago.

THE WITNESS: No, I did not. Pardon me. The fish enter the Strait of Juan de Fuca and appear to swing over more or less to the Canadian side of the international boundary in this particular locality (indicating). Our traps at Sooke intercept what you might call a part of the fringe only. That coloured section—

*By Mr. MacNicol:*

Q. You apparently get 2 per cent?—A. Of the entire catch, not of the run.

Q. Just a minute. The Americans get 66½ per cent. I was wondering why you did not put in a couple of hundred traps there instead of 5, so we in Canada will get more of the fish?—A. Well, in the first place, we perhaps have not the capital to put in 200 or 300; and in the second place, we would probably meet with intense opposition if we did do that. But we have often wondered why the Canadian Government did not encourage trap fishing to the greatest possible extent, because it is the only way that you can intercept your Fraser River sockeyes before they swing over, which I have shown, if you will look at that area.

Mr. MOYER: Before they swing over where?

Mr. PELLETIER: May I be supplied with a copy of the map?

The CHAIRMAN: Yes.

The WITNESS: To the American side of the international boundary. The international boundary, you will note, is a black line that runs up here (indicating), and was settled by treaty some years ago. They do swing over in this direction (indicating); and if you will look at the map you will find the principal American fishing centres indicated by the blue dots there.

*By Mr. Reid:*

Q. Is this plan got up by you?—A. It is only got up by us so far as the colour of this goes (indicating). This simply illustrates in colours what is stated on that sheet there.

*By Mr. Neill:*

Q. What year is that?—A. This refers to the 10 year period from 1925 to 1934 inclusive.

Q. It does not refer to the 2 last years when the United States traps were not operating?—A. In 1935 we took—I think possibly I may clear up a little misunderstanding on your part, Mr. Neill, as well, while we are on the subject. I think in 1935 we took about 5 per cent. The percentage had varied from year to year; one year, I think, being as low as 1 per cent.

*By Mr. Moyer:*

Q. What did you take in 1936?—A. About 2 per cent, I think it was, in 1936.

*By Mr. MacNicol:*

Q. When I said a couple of hundred traps, I take it for granted that you know what I am talking about.—A. Yes. Why it was not extended.

Q. All I had in mind was that if Canada is not getting a fair share of the fish, if five traps helped the situation, a few more traps would help still more. I am not passing any comment on the traps.—A. No. I understand.

*By Mr. Pelletier:*

Q. What is the 100 per cent? How do you arrive at 100 per cent and what is it?—A. We attempt, in making that sketch there, to illustrate in colours precisely what is set out in the printed form that you also have. I think you have been furnished with one. If not, we have some here. It visualizes the entire catch that is made on Puget Sound and in British Columbia as 100 per cent; that is as though you had a picture of all the fish which were to be taken during the 10 year period; and they start out naturally at 100 per cent. As they pass the vicinity of Sooke, that 100 per cent has been reduced to 98 per cent.

*By Mr. Tomlinson:*

Q. By the two per cent taken?—A. By the Sooke traps, true. And then as they enter American waters, you have 98 per cent to begin with. As they pass through the American waters it is being diminished all the time; until finally when they reach the Fraser River there is but 31½ per cent left.

*By Mr. Neill:*

Q. You are talking about conditions that are passed. You are not talking about 1935 and 1936?—A. I am not talking about anything except the 10 years from 1925 to 1934.

[Mr. Chas. F. Goodrich.]

Mr. REID: Right here, I am disputing this statement; because I am taking Dr. Found's figures as given to the committee, and the average is 37·5. According to the figures given by the department, the average for the 10 years quoted is 37·5.

Mr. GREEN: Instead of 31½ per cent?

Mr. REID: Yes. That is the figure of the catch.

Mr. MACNICOL: Thirty-seven per cent?

Mr. REID: Yes, 37½.

The WITNESS: There is a great possibility of misinterpreting some of the figures, for this reason: Very often packs of the Fraser River canneries are taken into consideration, and that is called the Fraser River pack. However, if you will refer to any of the fishery bulletins of Major Motherwell—I think along the latter part of the season, say October, he mentioned there was a considerable amount of fish that is packed on the Fraser River at the Fraser River canneries which are not Fraser River fish. There has been some brought in from district No. 2 and district No. 3; and if there is a slight discrepancy, it is quite possible that it has arisen in some such way as that. But we have taken, as near as we could, the official figures of the department as corrected by Major Motherwell's reports.

Mr. REID: You would have found it different if you had taken the dominion figures instead of the British Columbia figures.

*By Hon. Mr. Tolmie:*

Q. Are we clear now on the fact that you cannot extend the traps out—because you cannot get piles long enough—any farther than what the pitch of the surface of the sea will allow you?—A. That is true.

Q. At the outside they may extend 2,000 feet?—A. Yes,

Q. And it may be very much less. Then again, right there the Strait of Juan de Fuca is about 15 miles wide, you told us the other day?—A. Fifteen or 16 miles wide at the narrowest point.

Q. Yes, and the Sooke traps are so disastrous to sockeye salmon that you only get two per cent?—A. That is true.

Mr. TOMLINSON: I do not think that is a fair question.

Hon. Mr. TOLMIE: It is a fair question. I come from that country, and I know what I am talking about. Right on that point, let me say this, that about 65 per cent go over to the American side. That is 65 per cent are caught—

The WITNESS: And stay over there.

Hon. Mr. TOLMIE: The places with the traps have been so disastrous that 65 per cent get over to the American side and are captured over there. The remainder find their way to the Fraser River.

The WITNESS: True.

Mr. TOMLINSON: Well then, we will ask this question next: what has been the difference since the traps were taken out of this area shown in red on this plan; in the last two years what has been the difference in these figures, since the Americans took out their traps?

Mr. MOYER: I think Dr. Found has already covered that.

Mr. TOMLINSON: I want this man to give that.

Mr. MOYER: You can get it officially from the deputy minister of the department.

Mr. TOMLINSON: This man knows. He is a witness under oath and I would like him to give me the figures. Apparently he assisted in compiling this statement so I think he should be able to give the answer.



The WITNESS: In 1935, reducing it to a percentage basis, the American pack was approximately  $47\frac{1}{2}$  per cent of the total combined pack of British Columbia and the Sooke traps. The Canadian pack was approximately  $47\frac{1}{2}$  per cent, and the Sooke trap pack had approximately 5 per cent; that is, of the B.C. pack.

Mr. TOMLINSON: In other words, you doubled your catch?

The WITNESS: No, I would not say that. It was not the first time, it has happened before. That is a thing which fluctuates more or less from year to year. In any event we could not have doubled our catch for the simple reason that our traps intercept the salmon before they get to the American side; so that they could not be affected to any degree by what the Americans did nor did not do after they had passed our traps. Also, I may say in regard to 1935, that the effectiveness of the American catch was somewhat impaired by the fact that there was a strike during the early part of the run.

*By Mr. Moyer:*

Q. What about 1936?—A. In 1936 our catch was very much less than normal; I think it was about 44,000. I am not sure that your figures will indicate that. The average catch is something over 50,000, and in 1936 our catch was somewhat less than normal; corroborating the theory that a large proportion of the run did go around the north end of the island and through Johnstone strait, as Dr. Found has stated.

Q. I want to take you back for a moment, Mr. Goodrich, to a matter you were discussing a while ago about the termination of the fishing season. What happens to your equipment when fishing ceases?—A. When the fishing season is over the cotton web which is used in the construction of the pot and spiller, and the ropes, are taken in. All the wire is cut down and falls to the bottom where it disintegrates in the salt water.

Q. What happens to the piles?—A. The piles are pulled by what we call pile pullers. There are two scows each of which has a donkey engine installed and they are placed one on each side of the pile and a chain is dropped down and the pile is pulled out of the water, so that when the fishing season is over there is no trap whatever in existence. The piles then are all piled up on the beach and stored for the winter. If the piles were left during the winter season they would become eaten by toredoes and sand fleas so that they would be not to be depended upon and they could be used for a very short time.

Q. So that in the course of preparing the gear, fishing, and taking the gear down and storing it, how many months of the year are your men employed?—A. I would say from  $9\frac{1}{2}$  to 10 months.

Mr. KINLEY: That is the period of your whole operation?

Mr. MOYER: Yes.

Mr. KINLEY: And you employ maintenance men during part of the time?

Mr. MOYER: Quite.

The WITNESS: There is no very considerable lay-off during the season. The men whom I have described as making up the web later on go out to the trap itself; these men all do different kinds of work at different times during the season.

*By Mr. Kinley:*

Q. So that your maintenance men are kept busy throughout the season?—A. Yes.

Q. What as a rule is the season for actual fishing?—A. The actual fishing season—the first trap might be lifted, as I say, about the first of May; and the last trap would be discontinued about the end of October.

[Mr. Chas. F. Goodrich.]

*By Mr. Ryan:*

Q. You said that the sockeye started about July 11th; is that right?—A. Approximately so.

Q. You were about to tell us when it finished?—A. I stated that it lasted approximately 30 days—roughly speaking. Sometimes it is somewhat later than that and sometimes it is somewhat earlier.

Q. Have you got any actual figures as to what the sockeye catch was in the last 10 years at your plant?—A. I have, sir; I can give it to you for the past 14 years if you like.

Q. My attention has been called to the fact that we have a printed form before us which shows that. Does it show that?—A. I think for the last 10 years, yes; up to and including—I think that gives 1934 only. In 1935 we had 73,244. That is not down there. In 1936 I believe the department has stated—I have not the figures on this paper for 1936—I think it was 44,600. I think that is correct, something under 45,000.

*By Mr. Kinley:*

Q. You were endeavouring to give us an explanation of your operations. What is your pay-roll, exclusive of executives per year?—A. Somewhere in excess of \$50,000 per annum.

Q. That is for actual labour?—A. Yes.

Q. Without the salaries of the foremen?—A. Salaries of the foremen—certainly, the foremen work along with the men.

Q. So that you have paid out in salaries according to your pay-rolls \$50,000 a year?—A. Something over \$50,000. We have paid out in salaries and wages something over \$1,000,000 since we organized 18 years ago.

*By Hon. Mr. Stirling:*

Q. That is, the two companies?—A. It is the two companies so far as 1922 on goes, in the production of salmon and the operation of the trap; but it does not include any of the wages paid to workers in the cannery.

*By Mr. Kinley:*

Q. You said there was no connection between the two companies, no interest?—A. I did not intend to say there was no connection, or no interest; I said we had worked in good co-operation since 1922, but that there was no—

Q. No shareholders of one company appear as shareholders of the other; therefore, the pay-roll of one company would not affect the pay-roll of the other?—A. I am giving you the combined pay-roll.

Q. I want the pay-roll of your company?—A. They are not separated. Since 1922 we have operated traps jointly.

Mr. NEILL: There was no over-lapping when you get your pay-roll together?

The WITNESS: We kept our pay-roll together.

*By Mr. Neill:*

Q. What form of corporation is this?—A. I think I have explained that as well as I can.

Q. What form of corporation is it which provides for a common pay-roll since 1922?—A. We operate the two traps jointly, for joint benefit, but there is no common ownership.

*By Mr. Kinley:*

Q. Were the traps owned jointly?—A. No, sir; they are not.

Q. Who owns the traps?—A. There are three trap sites that are owned by the Sooke Harbour Fishing and Packing Company.

Q. And two are owned by your company?—A. And three which are owned by my company; but one of our locations will not be fished this year. We will fish two of the Sooke Harbour Fish and Packing Company locations and three of the J. H. Todd Company locations.

Q. And you fish all the traps?—A. Yes.

Q. I suppose that accounts for the combination of your pay-roll. It is a joint pay-roll is it?—A. Yes.

Q. You do not know how much of that would be your own?—A. It is impossible to segregate it.

Q. You must separate it in your income tax returns and on your balance sheet?—A. Fifty per cent then would be shown.

Q. Then you pay \$25,000 of the wages; that is what you mean, you said your total wage pay-roll was \$50,000 so that you would pay \$25,000 then?—A. I said that I was representing both J. H. Todd and Son and my own company, and I am speaking in regard to the combined pay-roll.

Q. You said that the pay-roll for the whole thing was \$50,000, and now you say that what you would pay alone would be 50 per cent of the whole; that would mean that you paid \$25,000 in wages and that the other company paid \$25,000 approximately.

*By Mr. Moyer:*

Q. Is that correct?—A. I thought I had made that quite clear.

Q. Do you get fish from any other source?

Mr. TELFORD: Except your own?

The WITNESS: Not to any appreciable extent. There are no other fishing plants there from which we would be able to make any purchases. We are quite prepared to buy fish at all times if there are any fish offered.

*By Mr. Neill:*

Q. Where do you get them occasionally?—A. In 1936 there was a surplus for the first time in many years of sockeyes on the Fraser river, more than the canneries there could properly take care of, and we bought some of the surplus, bought them from the Fraser river.

*By Mr. Green:*

Q. There was a statement made in the house that your company would not buy fish from the fishermen. What have you to say to that?—A. We are prepared to buy them and do buy them if they are suitable for canning.

*Br. Mr. Neill:*

Q. Did you ever buy any?—A. Yes, we have.

Q. What year?—A. We bought a limited number from Joe Badcock on one or two occasions.

Q. What year was that?—A. It would be 1935.

Q. Badcock; what is he?—A. He was carrying fish from the net men.

Q. On the west coast?—A. Yes.

Q. Sockeye?—A. Yes.

*By Mr. Tomlinson:*

Q. Is your company incorporated under the provincial laws?—A. Yes, it is.

Q. Also the Todd fishing company?—A. I have no knowledge in regard to them. I have never asked the question; I don't know; I presume so, sir.

[Mr. Chas. F. Goodrich.]



Q. I am just curious about this amalgamated payroll of yours. I was wondering why you amalgamated your payroll.—A. We amalgamated our payroll primarily, sir, because after the disaster of 1913 when the supply of fish was so much depleted there was a great overlapping of equipment and labour. We had an entire canning outfit of our own—

*By Mr. Neill:*

Q. Have the Todd interests any mortgage on the property of the Sooke Harbour Fishing and Packing Company?—A. Have they any mortgage?

Q. Yes?—A. They have not, neither are we indebted to them.

*By Mr. Kinley:*

Q. Do they assist you in financing?—A. They do not, sir.

*By the Chairman:*

Q. You stated that the sockeye run was for one month.—A. Usually approximately that, sir; they come straggling along more or less; sometimes the run is later.

Q. I should like to know how your profits compare in the other months of the year with your profits in the month that the sockeye is running.—A. I never thought to do that figuring to give any part of the general business—the sockeye is the most valuable canning fish we get.

Q. What I should like to know is this. During the year, apart from the sockeye run, you get a good percentage of fish, sufficient to keep your cannery going?—A. Not always canning—the canning does not start usually until about the time the sockeye run. There are five varieties of salmon, which you perhaps know: the spring, sockeye, pink, coho and the chum. The spring is the first salmon to run in the spring.

*By Mr. Reid:*

Q. Do you can that fish?—A. We do not usually like to can the spring, until we absolutely have to. They are not an entirely satisfactory canning fish. They are perfectly wholesome and a very good fish; but they vary so in colour, varying, as you probably know, from as red as the sockeye down to the ordinary silver. The variation in colour such as that makes them not so desirable for commercial purposes.

Q. Have you any figures regarding the catch of spring?—A. Yes, I have.

*By Mr. Hanson:*

Q. Does your company pay so much per fish or per hour or per month?—A. I beg your pardon.

Q. How do you pay your men?—A. Our employees are all paid so much a month and their board. It would be impossible to figure out compensation on any other basis for the reason that one trap may be very much more desirable than another, and they cannot all be on the same trap, and there would be no way of working it equitably on a price per fish. Anyway, it probably would not accomplish any good thing. It probably would not increase their wages or decrease them.

*By Mr. Moyer:*

Q. What would the wages amount to on the average; what is the minimum wage?—A. The minimum wage of any man on our payroll is \$80 and board. We figure that, I believe, as being equivalent to \$116.

*By Mr. Neill:*

Q. How many months a year would he average?—A. About, as a rule, nine and a half I should say, Mr. Neill.

Mr. KINLEY: About \$600, according to your statement as to payroll, in addition to board?

*By Mr. Moyer:*

Q. What did you say about the \$80 and board?—A. \$80 and board.

*By Mr. Reid:*

Q. Have you ever worked out the average—suppose the price of fish was 50 cents to the fisherman. Have you ever worked out the average cost?—A. No, I have not. I do not know exactly how you could work it out. I will tell you what I have worked out, which may be of interest.

Mr. MOYER: I think he has what you want.

The WITNESS: I have here a statement that was made by Mr. Robert R. Payne before the hearings at Ketchikan, Alaska, on January 15 and 16 last on the subject of Alaska fish traps, and in that he made this statement, that according to their records the actual number of man-days required in British Columbia to catch 1,000 cases of salmon by seine, was 76.

*By Mr. Moyer:*

Q. 76 man-days?—A. Yes. He also made the statement that according to their records at Ketchikan, Alaska, the average number of men required to catch a thousand cases of salmon by traps was from 100 to 150. I did have curiosity enough to work it from our own records—this was for 1935—to check up on that and I have these figures, which unfortunately is only in a rough memorandum or rather in the form of a letter. But I will give you the figures. Our own records from Sooke show that during the year 1935 we employed 11,110 man-days. This does not include office help, and other men actually engaged in the work, but it does include, of course, foremen. The following is our statement of catch translated into cases: Sockeye 73,244; fish required for case, according to the records of our Empire cannery,  $12\frac{1}{10}$ . That would be equivalent to 6,058 cases; pings, 397,595, translated at  $16\frac{1}{2}$  to the case, 23,923 cases; cohoes, 50,117, at 9.1 fish to the case, 5,497; chums, 4,583 at 8.64, 529 cases; springs, 479,774 pounds at 80 pounds, 5,998.

*By Mr. Neill:*

Q. At what?—A. Eighty pounds.

Q. Eighty pounds?—A. Yes.

Q. How many fish are there to a case of spring?—A. That would depend upon the size. We are taking pounds instead of number of fish.

Q. Eighty pounds to the case?—A. Yes.

Q. Eighty pounds to the case?—A. Yes.

Q. Why, there is only forty-eight pounds in the case?—A. We are dealing with round weight, Mr. Neill.

Q. I do not get it. You were telling us the different weight for cases and then you said how many fish there were to the case?—A. Exactly.

Q. Now, you come to springs and you seem to have given a different basis?—A. Because springs vary much in size that the most accurate way is to get the weight rather than the number.

Q. How do you do it?—A. Eighty pounds of round fish.

Q. Will make?—A. Forty-eight cans, forty-eight pounds.

Q. Eighty pound of round fish will make forty-eight?—A. Yes.

[Mr. Chas. F. Goodrich.]

*By Mr. Hanson:*

Q. In the can?—A. Yes. According to the experience we have had in the beginning the springs ordinarily would figure seventy pounds of round fish to the case, but in the experience we have had with the springs that is really the reason why we did not find it profitable. There is a very large backbone which has to be removed from other fish which, probably, accounts for the large weight. At any rate, to summarize—

*By Mr. Moyer:*

Q. To go back from where you left off?—A. The fish that we caught in 1935 would have made 42,075 cases had they all been canned. The number of man days divided by that gives 264 man days required for a thousand cases of salmon.

*By Mr. Kinley:*

Q. What is the wastage on salmon? I am interested in that?—A. I said 264 man days.

*By Mr. Moyer:*

Q. As against what in Alaska?—A. 100 to 150.

MR. NEILL: No. Seventy-six has reference to seines. You are comparing the catch with seines and traps. He said it took seventy-six man days to get a thousand cases by seines, and it took 264 man days to do it by trap nets.

MR. REID: He mentioned it in Alaska—100 to 150 man days.

MR. NEILL: He gave the reference to seines at seventy-six days.

MR. REID: As well as the traps.

MR. NEILL: I am not talking about Alaska traps. That does not matter; it is the seines. He gave an American authority as giving seventy-six man days to produce one thousand cases of salmon by seine. I said that—

THE WITNESS: This was not an American authority.

MR. NEILL: And then he goes on to say that in his own experience it took 264 man days.

THE WITNESS: Right.

MR. NEILL: Four times as many.

THE WITNESS: Right.

MR. NEILL: You ought to thank us for stopping you. You are losing money. It takes four times as many man days.

THE WITNESS: I know.

MR. MOYER: The witness is giving this evidence on his oath.

THE WITNESS: I can give the reasons; it is a matter of economy.

MR. NEILL: Yes, do it.

THE WITNESS: The reason why we can continue to operate traps and pay our bills and still employ 264 man days for one thousand cases where in Alaska it only requires 100 to 150 is because we do get valuable fish, the sockeye. This plant that Mr. Payne was referring to in Alaska catches practically nothing but pink salmon, I think, and dogs. They catch a number of fish not so valuable and, therefore, perhaps the explanation why we can still operate even if our labour costs are heavier is we get less fish but they have more value.

MR. NEILL: You have missed my point. Compare why you take a method of fishing that requires 264 days by traps when you could do it by seines for seventy-six.



*By Mr. Moyer:*

Q. Could you do it by seines in that vicinity?—A. No.

Q. Will you explain why?—A. Because the waters are not suitable for seining.

Q. Explain why they are not suitable?—A. The fish during the time they are travelling through these straits do not school up. They do school up, as I pointed out a few moments ago by the cape over off Swiftsure banks off Cape Flattery and near Neah Bay; but it appears from the time they enter the straits here that they are travelling quite rapidly and they do not appear to school up so as to make themselves evident to the purse seiners so that they could locate a body of fish that would make it profitable for them to set their seines and to take them.

Q. As a matter of fact, is there anything to prevent the purse seiners from taking them there?—A. No, no. They are there repeatedly, and they have tried it around our traps.

Mr. NEILL: That is not fair. I will ask this question. There is nothing, he says, to prevent the purse seiners taking them, but the instinct of the fish is the same as that of you or I. If we are driving a car and come to a right turn we will turn right. These fish come along this shore and they hug the shore, and this outfit has got all the available trap sites located, taken possession of, and that is why they take out licences for seven or eight traps and use only three or four—they want to prevent anyone else coming in. The traps are located at the strategic point where the fish come around the corner. It is no use saying that the seiners could catch them over here, because they do not run here.

Mr. MACNICOL: Do they ever cross over to the American side?

Mr. NEILL: Then they cross over to the American side; and let me tell you that they are aided to go over to the American side due to the fact that these things are stuck out like this. The natural run after they are passed here is to go over there.

Mr. MACNICOL: How many traps are in operation on the American side?

Mr. NEILL: 219 in 1933 and 1934.

Mr. MACNICOL: I thought I asked a foolish question a while ago, but it appears to me that the Canadians are very slack if the Americans have 219 traps and we have only been having four or five traps. The Americans are getting our fish.

Mr. REID: It has been found—at least on the American side—that it costs just as much by trap as it does by the gill net fishermen, only that they are caught in larger numbers and more quickly, and our country has taken the idea of the greatest good to the greatest number and have allowed more fishermen to be engaged in the occupation rather than to put a few traps into operation and do away with the labour of fishermen. It has been proven that it costs as much by the trap only they catch them quicker.

Mr. TAYLOR: With regard to the statement made by Mr. Neill that these traps cause the fish to go over to the American side and that if the traps were not there the purse seiners would have an excellent chance for fishing there, how is it that only two per cent of the catch is taken by the traps?

Mr. NEILL: The seines cannot work there because all the suitable places are monopolized by the traps.

Mr. TAYLOR: If the traps are only catching two per cent why not take 100 per cent? You say they hug the coast, and the traps are put out to intercept them on their way. Why don't they catch 100 per cent? The strait is fifteen miles wide. Mr. Goodrich was, apparently, stating a fact when he said that his traps only caught the fringe of the run.

[Mr. Chas. F. Goodrich.]

*By Mr. Ryan:*

Q. I understood Mr. Neill to say that you took out seven trap licences and that you did not operate the seven traps, but only four or five. Are the fishermen allowed to purse seine in the waters in which you have a licence to trap; you do not use those waters?—A. They are allowed to fish all around there, except there is a provision of 600 feet from the trap. That is merely to prevent our gear from being run into by accident.

Q. Am I right in thinking that they can fish in the waters for which you have a licence if you do not put the traps down?—A. They can fish if we do.

Q. Can they go into those waters where you have your licence for traps?—A. Absolutely. I will answer your question in this way: We know, as a matter of fact, that the purse seines do catch large quantities of fish at Puget Sound. That is true, is it not, Mr. Neill?

Mr. NEILL: Yes.

The WITNESS: Very well. If the purse seines cannot operate at Sooke where 4 traps are located, how can the purse seines catch a large volume of fish at Puget Sound where you have got 219 traps?

Mr. NEILL: I will give you the answer to that, and it is on record. The reason is this: Our law is different from that on the American side. The Americans set out these 219 traps like that (indicating) and the seines are allowed to operate right into the mouths of them; the traps are really an aid to the seiners over there, because the lead catches the fish, holds them temporarily and the seiner comes along and can go within three feet of them. Ours do not do that. They cannot do it. Our law makes the provision by which you must keep 200 fathoms away from the traps. That means you cannot do that. That is the reason why it is profitable to use purse seines on the American side and impossible to use them on our side.

Mr. TOMLINSON: If you take out seven licences, no purse seiner can fish where those seven licences are situated, within 200 fathoms of them, as you say.

Mr. NEILL: Only if they are operated.

Mr. TOMLINSON: Only if they are operated?

Mr. MOYER: Yes.

Mr. PELLETIER: Your statement that they took licences out to stop the purse seiners but did not stop the traps is not quite correct.

Mr. NEILL: Not the purse seines; to stop any other traps getting in.

Mr. PELLETIER: But the purse seines can go on?

Mr. NEILL: Yes. The Canadian Government would allow anyone to operate there but they do not for the reason that these people have got all the available good sites.

The WITNESS: The only provision is 100 fathoms.

Mr. GREEN: Do you mean to say there are no sites except within the 10 mile area?

Mr. NEILL: Not suitable ones. I will tell you about that. I was in British Columbia as a young man in the local legislature when this question of traps was introduced. They had to get the support of the provincial government, as they had to get a foreshore lease, so that it really depended on the provincial government. If you did not get a foreshore lease, you could not get a licence from the dominion. We had one of these political cataclysms that take place in British Columbia, and the government had a very slim majority. My next desk neighbour said, "Say, if we go in and support the government, we can get a fish trap site." I said, "No, I was not going to." He said, "Well, I am going to do it." A lot of them got fish trap sites and licences, and most of them

went bankrupt, because they found only 7 or 8 were useful. I was gratified to find that my neighbour who went out and supported the government and got his trap site, lost a lot of money because it was not suitably located.

Mr. REID: You cannot place traps anywhere. There are certain runs where the fish go, and men have tried it in various places and lost considerable money. There are just certain districts where it is favourable.

Mr. GREEN: The picture is hardly that simple; because the fact that these people have run their business better enters into the picture also. That is one reason why they have been able to proceed where a great many others did not.

Mr. REID: They have held certain choice areas against all comers.

Mr. GREEN: I presume they have also run their business efficiently.

Mr. REID: And so mean are they that they take out 7 purse seine licences in that district in case somebody else gets the other three, the location is so good.

Mr. GREEN: That would be up to the department.

*By Mr. Pottier:*

Q. What is the most traps they would set in that area in any one year, that you know of?—A. There have not been over 6 traps in that area in the last 18 years of which I have knowledge.

*By Mr. Neill:*

Q. How many have been licensed in that time? Nine, is it not?—A. We do take out an additional licence, because we need one closely adjacent to where Mr. Todd had one; and sometimes we have used one and sometimes the other, and we have felt that rather than to alternate between taking out different licences and paying the government the revenue—

Q. You have taken 9 out have you not?—A. I could not say how many we have taken, but we never operated more than 6.

*By Mr. Kinley:*

Q. When there were 6 traps, did any other firm have a licence, that was not in control of your company?—A. There have been as many as 25 along there. The others for one reason or another dropped out. There have been, I think, something like 25 traps along there.

Q. By other people?—A. Yes, by other people.

Mr. MacNICOL: You have possession of the whole coast, anyway?

The WITNESS: Yes.

*By Mr. Ryan:*

Q. Before we adjourn I would like to ask this witness about fishing on the other side since they discontinued trap fishing; what are they using now, purse seines or gill nets?—A. Nearly all purse seines.

Q. Can you tell me what has been the effect of purse seines on the American side since they dropped the traps as affecting the consumer or the fishermen?—A. I do not think the price has been altered very much.

Q. Has it been altered at all?—A. I could not say anything as to that without verifying the figures which no doubt would be available from the department, but I wanted to point out to you that it was not quite as simple as that, inasmuch as Puget Sound and the Fraser River together do not control the available supply; you have a very heavy pack in Alaska and they could not raise the price much above the competitive price of the Alaska pack.

Q. You say the Alaska pack sets the price?—A. It is a very large pack, I think about 8,000,000 cases (subject to correction).

[Mr. Chas. F. Goodrich.]



*By Mr. Kinley:*

Q. I suppose having these traps makes you independent of the fishermen; you do not have to buy from the primary producer?—A. It is not that it makes us independent; although if we did not have traps we could not operate a cannery where we are now. It would not be practicable; at least, if you are going to transport your supply of fish regularly from the Fraser River to the place where our cannery is located the logical thing and the correct thing to do would be for you to dismantle your cannery and move your machinery down the Fraser River so that you would get your fish fresh.

Q. How far is it from your plant to the seining grounds at the entrance to the Juan de Fuca Strait?—A. Seventy or 80 miles I would say.

Q. Is it 70 or 80 miles to the seining ground?—A. You are referring to the Swiftsure banks off here (indicating). I think that would be 70 to 80 miles.

Mr. NEILL: It would be more like 40 miles. How far is it to Nitinat?

The WITNESS: I would have to figure that out. It would not take very long if we had dividers here. You see here (indicating on map) is Swift Harbour.

Mr. MOYER: That would be about 20 miles.

The WITNESS: Twenty miles, is it; and 40 miles to this bay; that would make it about 60 miles around to the point where the boats congregate at Neah Bay.

*By the Chairman:*

Q. You take fish up there by motorboat?—A. No, we do not. Mr. Neill was asking me whether or not it would be practicable for us to transport fish, as I understand it.

Mr. NEILL: I was asking him if he could not buy fish from the Nitinat, and Barclay Sound, because they go from there to the Fraser River canneries. You said yourself that you bought some from Nitinat.

The WITNESS: Yes, we did. We don't continue to buy there. Without discrediting the Fraser River canneries, we are very fortunate in having an enviable reputation for our fish on account of the freshness with which they were put up, and we do not like to jeopardize it by packing fish which might be more or less soft or stale.

*By Mr. Neill:*

Q. Yes? Nitinat cannot be more than 3 hours run?—A. No.

The CHAIRMAN: Perhaps we could go on for the few minutes remaining to us, unless perhaps Mr. Moyer has something which he wishes to bring out which would take a longer time?

Mr. MOYER: I want to get some more evidence from the witness but I am afraid I could not finish by 1 o'clock. Would there be any chance of the committee sitting again this day?

The CHAIRMAN: I do not think so. We would have to get the permission of the house.

Mr. MOYER: Would it be possible for us to return to-morrow morning at the same time?

The CHAIRMAN: Unfortunately I have to go down to Montreal in the morning and I will be away all day. Someone else might take the chair if the committee desires to sit.

Mr. GREEN: What about Wednesday?

The CHAIRMAN: I understand there is to be a caucus on Wednesday morning.

*By Mr. Pelletier:*

Q. The witness was explaining about these leads some time ago and he stated that these piles were driven about 10 feet apart. I would like to ask him a question about that. I would like for him to explain why these leads could not be built with gates instead of being built in one solid line. What I mean is this, Mr. Chairman; solid line all the way down to the trap?—A. At the other end of your trap you have a pile approximately anywhere from 60, to 70, 80, 90 feet long. If you could visualize a 100-foot gate that will open and swing—

Q. Not necessarily open and swing. It seems to me at the shore end of your lead your piling was placed ten feet apart. Is that what you said, Mr. Goodrich?—A. Exactly.

Q. Would it not be possible to have a gate in between the piles?

Mr. NEILL: To let the fish through.

Mr. PELLETIER: Yes.

Mr. NEILL: That is what they recommended, but they don't do it.

Mr. PELLETIER: I was wondering why they could not do it.

The WITNESS: Because you have a tremendous tide there, sir, for one thing. It would be very difficult to have any kind of a gate that could be opened, and then again made up—

*By Mr. Moyer:*

Q. What is the height of the tide there?—A. Ten feet.

The CHAIRMAN: Gentlemen, when shall we meet again?

Mr. TOMLINSON: Wednesday.

The CHAIRMAN: There is a caucus on Wednesday. I do not think we can meet until Thursday at 11 o'clock. Is that agreeable? I am sorry, Mr. Goodrich, to have to keep you here.

The committee adjourned at 1 p.m. to meet again on Thursday, February 18, at 11 a.m.

## APPENDIX NO. 1

To the Honourable the MINISTER OF FISHERIES,  
Ottawa, Ontario.

We the undersigned residents of the Province of British Columbia do hereby petition the Minister of Fisheries for the Dominion of Canada to do away with fish traps in the Province of British Columbia and not to issue any licences for the operation of fish traps in the said province and in support of this petition we submit herewith the following reasons for this petition:—

1. The preservation of the salmon itself—which is in a fair way of being exterminated by the continued operation of the traps—and for this reason:—The Spring and Cohoe Salmon, forming the yearly run along our coast, are fish heavy in spawn, making their way to the spawning grounds of the Fraser River, and other streams along the coast. These fish swimming in shoals, follow the coast line along the southern end of Vancouver Island, keeping in shallow water and close in shore, with the result they call an easy prey to the traps and very few get by to accomplish their intended destiny.
2. The resuscitation of the fishing industry along our coasts—which until the traps started taking their great toll of the salmon—was the source of a good livelihood to many. Whereas to-day local fishermen, their former livelihood gone, have had to find other occupations—more often than not relief work.
3. The encouragement of the tourist fishermen, who spend their money freely provided they get what they want—"Good Fishing"—and who to-day is all too often disillusioned at the present poorness of the fishing in our waters.
4. The traps abolished—the fish would increase again and there would be employment and enjoyment for all comers instead of, as is the case to-day—exploiting one of B.C.'s. greatest assets to its final extinction for the sole benefit of the few.

Name	Address	Occupation
L. E. S. Prinnett G. Daniel P. H. Rear and 1791 others.	607 Cook street 870 St. Patrick 4364 Hastings St. E. Vancouver	Aviator. V.C. Salesman.











Gov. Doc  
Can  
Com  
M

Canada Marine and Fisheries  
Committee on 1937

CH1 XC 17  
-M12

SESSION 1937  
HOUSE OF COMMONS



STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 3

THURSDAY, FEBRUARY 18, 1937

WITNESS:

Mr. Chas. F. Goodrich, President, Sooke Harbour Fishing and Packing  
Company Limited, Sooke Harbour, British Columbia.

J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
OTTAWA  
1937



## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

COMMITTEE ROOM 429,

THURSDAY, February 18, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock a.m. this day, Mr. MacLean (*Prince*) the Chairman, presided.

*Members Present:* Messieurs Brasset, Ferron, Green, Hanson, Hill, Kinley, MacLean (*Prince*), MacNeil, MacNicol, McCulloch, McDonald (*Souris*), Michaud (Hon.), Neill, Pelletier, Pottier, Stirling (Hon.), Taylor (*Nanaimo*), Telford, Tolmie (Hon.), Tomlinson, Tustin, Veniot and Ward.—23.

*Present as witness:* Mr. Charles F. Goodrich, President, Sooke Harbour Fishing and Packing Company, Limited, Sooke Harbour, British Columbia.

*Also Present:*

Mr. L. Clare Moyer, K.C., Barrister of Ottawa, counsel for the above company.

Dr. Wm. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

In accordance with the understanding arrived at during the meeting of the Committee held on Monday, 15th instant, the Minister, Hon. Mr. Michaud, filed with the Committee papers and correspondence comprising: 9 letters, 1 petition, 6 telegrams and 6 resolutions.

Mr. Neill stated that he had a number of papers and correspondence contained in a file, probably some of them similar to those filed by the Minister, but others in addition. Those which were found not duplicates of those already submitted, he would like to have included in the record, if the Committee so decided.

After discussion, on motion of Mr. Kinley, seconded by Mr. Brasset, *it was resolved:* That the submissions of the Minister, and those of Mr. Neill, relative to the matter under consideration, and not duplicates of others already submitted, be included in this day's record of evidence. (See Appendices Nos. 2 and 3, respectively.).

Mr. Neill's submission, containing new relative matter to the question under review, was found to comprise: 30 letters, 4 letters with resolutions, and 3 telegrams. (See Appendix 3.)

*Mr. Chas. F. Goodrich recalled:* Mr. Moyer made a brief statement relative to the financial set-up of the company, as requested by Mr. Neill, then continued the examination of the witness. The witness was questioned by different members of the Committee, and during the latter part of the sitting, he was further examined by Mr. Neill.

During the examination of the witness, Mr. Taylor made a brief statement respecting his views on the matter under consideration, and submitted the following proposed resolution, viz:

Moved by Mr. Taylor (*Nanaimo*), Seconded by Mr. Hill:

*Resolved,*—That in view of the evidence of exceptional conditions prevailing on the southwest coast of Vancouver Island, between Sombrio Point and Beechy Head, the policy of confining in British Columbia the issue of trap-net licences



to this area, which has been observed by the Department since 1904, be continued at the discretion of the Minister, and that it be recommended to the Minister that he carefully review the then existing circumstances when determining annually whether or not licences shall be issued in the aforesaid area.

The examination of the witness having been but partially completed, the Committee, after discussion, and agreed to by the mover and seconder, decided to allow the motion to remain in abeyance, pending further consideration of the question.

It being then after the hour of one o'clock, the Committee agreed to adjourn, and to meet again to-morrow, Friday, February 9th, at 11 o'clock a.m.

E. L. MORRIS,  
*Clerk of the Committee.*

## MINUTES OF EVIDENCE

HOUSE OF COMMONS, ROOM 429,

February 18, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock, Mr. A. E. MacLean, the chairman, presided.

The CHAIRMAN: Gentlemen, we have the minister with us and also Mr. Found.

Hon. Mr. MICHAUD: Mr. Chairman, at the last meeting of the committee I intimated that I had some correspondence, telegrams and documents which I had received pertaining to this question and which I said I would lay before the committee. I have copies of the originals which are in the department, and they are as follows:—

- “1. Letter from Provincial Commissioner of Fisheries for British Columbia.
2. Letter from Sooke Community Association, Sooke, British Columbia.
3. Petition from village of Sooke and vicinity bearing 194 signatures.
4. Resolution by Sooke Athletic Association, Sooke.
5. Resolution by Sooke Badminton Club, Sooke.
6. Resolution by Sooke and North Sooke Women's Institutes.
7. Resolution by Women's Auxiliary to Sooke Branch of the Canadian Legion.
8. Resolution by Sooke Branch, Canadian Legion.
9. Resolution by Sooke Branch of Women's Auxiliary of Holy Trinity Church.
10. Telegram from Zone Council, Canadian Legion, Victoria, British Columbia.
11. Letter from Clover Point Anglers Association, Victoria, British Columbia.
12. Letter from Victoria Chamber of Commerce, Victoria.
13. Letter from Victoria and District Council Canadian Legion, Victoria, British Columbia.
14. Letter from Indian Agent, Duncan, British Columbia with petition signed by sixty-nine Indians.
15. Letter from North Saanich Liberal Association, Sidney.
16. Letter from Kyuquot Trollers Co-operative Association, Victoria, British Columbia.
17. Telegram from Salmon Purse-Seiners Union, Vancouver, British Columbia; George Miller, business agent, John Gavin, secretary-treasurer.”

I believe that is the telegram you referred to Mr. Neill?

Mr. NEILL: Yes.

- “18. Telegram from J. H. Todd and Sons Limited, Victoria, British Columbia.
19. Telegram from Sooke Community Association.
20. Telegram from Sooke Branch, Canadian Legion.
21. Telegram from Messrs. J. H. Todd and Sons.
22. Letter from Chief Supervisor of Fisheries, Vancouver, correcting error in 1936 catch of spring salmon at Sooke traps.”

The CHAIRMAN: What is the wish of the committee regarding these documents? Are they to be printed? I do not think it will be possible to copy them all into the published report of the committee.

Mr. MACNICOL: The names should be sufficient.

The CHAIRMAN: I think so.

Mr. MACNEIL: Could we have printed a summary of the representations?

Mr. NEILL: The name of the signer alone would not be of any use.

Hon. Mr. MICHAUD: The documents are not in. I think they should be appended to the report.

Mr. MACNICOL: They might as well be published.

Mr. NEILL: Yes, with the exception of any long list of signers of petitions. In that case you would not have to put in all the names. I would like to add some to them. There are some duplicates in this file of mine, but there are several exceptions and they are small ones. I have taken them out of the return that was brought down the other day, and if you, Mr. Chairman, will permit I would suggest, with the permission of the minister, that the clerk be allowed to look over these in combination with the ones submitted by the minister and if there are any in my list that are not already there that they be added. They are all, as I say, public documents brought down in the correspondence the other day, with the exception of several I could mention. There is one from the Honourable Mr. Rhodes, one from the Kyuquot Trollers Association, and there are some others.

Hon. Mr. MICHAUD: Are they documents which are on file in the department? You mentioned Mr. Rhodes.

Mr. NEILL: The letter is a letter from Mr. Rhodes to me some years back.

Hon. Mr. MICHAUD: If you will give us the reference we will have copies made and put on file.

Mr. NEILL: Yes, they could be taken off for us. I would like this one back again. I have put my stamp on it. The documents I am sponsoring are shown; I do not want duplications.

Hon. Mr. MICHAUD: Of course, the list of documents which I have just read, copies of which I am submitting, include only documents or correspondence since I have been in office; but in the case of any other document that may be on file and which you want to have placed on the record you have simply to give us the reference so that we can make a copy and bring it here.

Mr. NEILL: There are one or two short letters addressed to me personally.

Hon. Mr. TOLMIE: Is the same privilege extended to other members of the committee to bring in private correspondence and have it printed in the record?

The CHAIRMAN: Well, I think any documents that are for or against should be allowed to become part of the record.

Hon. Mr. TOLMIE: I think it is a rather wide rule. Had we not better stick to those documents which are in the department at present—official documents?

Mr. NEILL: That is depriving people of the liberty of writing to their member. I received a telegram from a body of fishermen on this matter during the last few days, and I am not to be allowed to submit it to this committee because it has not been sent to the department. That is not in accordance with our customs or with fairness.

Mr. TAYLOR: Has the honourable member brought the matter of these representations before the committee?

Mr. NEILL: I am bringing it up now. That is what I am trying to do.

Hon. Mr. TOLMIE: I can present dozens of wires.

Mr. NEILL: I think you are entitled to if they deal with the subject.

Mr. POTTIER: If we are going to gather evidence it should come from the witness end of it; the member should be allowed to be a witness and present any material he has.

Mr. NEILL: The correspondence is not a witness, and the letters the minister has laid on the table, quite properly, are not evidence given by witnesses.



Hon. Mr. MICHAUD: Unless we limit the scope, I am afraid that if it is known that any document or letter or information sent to a Member of Parliament is to be published and printed in the report we will be swamped.

Hon. Mr. TOLMIE: I am quite sure of that.

Mr. NEILL: You cannot prevent a man getting up and reading these documents.

Hon. Mr. MICHAUD: Certainly not.

Mr. POTTIER: I remember that in the radio committee last year one of the members became a regular witness and made his representation, and that seems to be the proper way to handle this situation. If we are going to sit on the floor of this committee and simply suggest that we have this letter or that letter there will be no end.

Mr. NEILL: For instance, with regard to this letter which I propose to put on record—a wire from this fishermen's association—they are expressing their views, and I cannot swear to those views personally. However, it is the statement they make; it is a pregnant matter; it is all connected with the trap question, and I do not know how you can refuse to accept a letter or a petition. We have handled petitions already.

The CHAIRMAN: I look upon the matter in this way: the minister has submitted a certain file of correspondence. I presume, Mr. Minister, that these are all in favour of retaining the traps?

Hon. Mr. MICHAUD: Oh, no. I have submitted everything that has come forward to me either by way of protest or approval. I did not select anything. I have taken them as they came.

Mr. TAYLOR: Mr. Chairman, I submit that the matters to be placed on the record by the minister are matters of public record. The telegrams, letters and other communications to the member for Comox-Alberni are private. Now, if from those he chooses to read representations into the minutes of this meeting we can not refuse him. I have all kinds of representations, and I have given the burden of them before this committee. I think the member should do the same thing. I do not believe his file should be incorporated in the minutes.

Mr. NEILL: It will be incorporated after I have read the contents, will it not?

Mr. TAYLOR: Yes.

Mr. NEILL: You might as well let me put them in. I am quite ready to read them, but that will take time. The rest of them are in public records taken from the return. All but six are in the government records. However, I am quite willing to read them. You cannot stop me.

Mr. MACNEIL: I do not think that any other committee of this house ever received a greater volume of representations than the committee on returned soldiers problems which sat last year, and that committee did not deny the right to any member to introduce a matter presented by various organizations through its members. We did find it necessary to strike a small special committee to deal with correspondence in order to prevent any improper use of the record as regards irrelevant material. Where necessary representations could be summarized. I think it is essential in this case that any organized body should have the right through any member of this committee to present its views of this subject, and I suggest that a special committee be set up to deal with this matter.

Mr. NEILL: I suggest it be left to the chairman and the clerk to decide that inappropriate matter be not accepted. I am willing to agree to that.

The CHAIRMAN: Mr. Neill's request is that he be allowed to submit certain correspondence, some of which are duplications; but all he is asking is that any of these documents that are not duplications of those which have been sub-

mitted by the minister be allowed to become part of the record. Does anyone wish to move that that be done?

Hon. Mr. TOLMIE: Is it understood that other members shall have the same privilege?

The CHAIRMAN: Quite so.

Mr. KINLEY: I will make that motion.

Mr. BRASSET: I second that.

(Carried.)

The CHAIRMAN: I understood when we adjourned our last meeting that Mr. Moyer intended to proceed with the witness, Mr. Goodrich. Is it the wish of the committee to allow Mr. Goodrich to continue giving his evidence this morning?

Mr. MOYER: I might say that the balance of the evidence which I shall endeavour to elicit from Mr. Goodrich will be very brief. I might also say that shortly after the committee rose on Monday Mr. Neill was good enough to advise me that he intended today to ask Mr. Goodrich to furnish certain information regarding the financial set-up of the two companies, the Sooke Harbour Fishing and Packing Company and the Todd Company, to which reference was made at the meeting on Monday. Those questions will no doubt be asked, and I do not know how well prepared the witness is to answer them. I would suggest, however, that the terms of the reference are such that the company could hardly have anticipated that their financial structure would be the subject of discussion or investigation here. The two companies in question are private companies. Mr. Goodrich has told the committee that in some respects in the interests of efficiency and economy they operate in conjunction. He went on to say that there was no financial interlocking, and, even if there were, surely there would be nothing sinister about that. The companies have both been under strict supervision for many years by the Dominion and Provincial governments; their employees are happy and contented as is evidenced by the petitions which the minister has tabled. If they have succeeded in the face of competitive market it is because they have run their business in an efficient manner. I say again that I do not think the committee should expect the company to have been ready to submit balance sheets and all the entire financial detail which, it seems to me, is not covered by the terms of the reference.

Mr. TAYLOR: Do I understand that these are private limited liability companies?

Mr. MOYER: Yes.

Mr. TAYLOR: Is the enquiry of a private limited liability company within the powers of this committee?

The CHAIRMAN: I suppose nearly anything is within the powers of the committee so long as it has a direct bearing on the question before us. I do not see that the set-up of the company has very much to do with the operation of the traps.

Mr. MOYER: We have no objection to showing everything. Our books are open to the authorities and always will be, but we are just not prepared to give the detail that Mr. Neill hopes to have before him for the reason that we did not expect that the reference would anticipate that.

Mr. NEILL: I asked for that information on Monday, and this is Friday.

Mr. MOYER: This is Thursday. I told you on Monday that my witness was going away. I went to bed on Monday night with flu and got up this morning. Mr. Goodrich got back yesterday, and it has been very difficult to collaborate. We could not have got the information by mail; I understand that the main line of the railway has been washed out on the Fraser river.

I got a telegram on Wednesday stating that a letter was coming to me by air mail on another matter from Vancouver, and I have not received it yet.

Mr. NEILL: I got a letter by air mail this morning.

Mr. MOYER: Your letter must have got on a better ship, my letter has not arrived.

Mr. NEILL: In regard to entitlement to ask for the balance sheet I would submit this: where a party comes before the committee and swears that if these traps are taken away from them they must quit and also when they swear that they have been paying large sums in income tax and that a large part of their argument is based on that, I think we are entitled to ask for some evidence in support of their statement, and the fair way and the natural way to do that would be by the balance sheet. I do not for a moment suggest, and I do not think it should be even hinted at, that we are suggesting there is anything sinister about the set-up of these companies; but when a witness comes and says that they have a common pay list and they divide apparently fifty-fifty, when one can a great deal larger number than the other, I think it is appropriate that we should ask for the financial set-up. Remember that this statement was made under oath, "we have to go out of business." I recall a statement made some years ago before the Tariff Board. A manufacturer came there asking for a big increase in tariff, and he stated positively, or swore—that he was the president of the company or the secretary—that they were losing money for years and years by lack of this tariff, and I asked him to produce his balance sheet, and he said, just as has been said to-day, "we have no business to produce our balance sheets for every Tom, Dick and Harry to look at." The chairman considered that under the circumstances he would have to produce it. So the matter was set over by the manufacturer until the next meeting of the Tariff Board. I attended the next meeting, and the gentleman sent a letter to the effect that his daughter had been sick and he could not get the balance sheet out, but he would have it at the next meeting. By the next meeting the gentleman had thrown up his hands and the balance sheet was never produced. Rather than produce the balance sheet to prove those statements he had sworn to, the matter was dropped.

Mr. MOYER: Now that the matter has been raised, would you care to address your request to the witness and we will see what he has to say. I tried to indicate what his answer would probably be. I think his answer will be along those lines. Probably you would rather have it from the witness.

Mr. NEILL: No, your statement is all right. It is a question of whether we can ask for this balance sheet or not.

The CHAIRMAN: It would be all right to have the balance sheet if it were possible to get it here for the committee. I suppose Mr. Goodrich would not want to be away if the balance sheet were here, and it might mean retaining him for a long time if it is sent for. What have you to say, Mr. Goodrich?

CHARLES F. GOODRICH, recalled.

The WITNESS: The only point that I see that the member for Comox-Alberni is desirous of verifying is that he seems to question my statement of the amount of money that is being paid to the Dominion government. I suggest that you ask for verification of those figures from the Income Tax authorities here. That was rather a large part of the sum that has been paid to the Dominion government, and I think you can get verification here in Ottawa, if you wish, of the amount. That would be large enough so that you could safely assume that the remainder of the sums I have mentioned would be reasonably included in real estate taxes and the other forms of taxation and revenues which I have mentioned. I have not the balance sheet with me. It never occurred to me for a moment that it would be of interest to the committee or that I should bring it. I tried to bring with me all matters that I thought the committee would be anxious



for me to give information about, but the matter of the balance never occurred to me for a moment before leaving the Pacific coast.

*By Mr. Neill:*

Q. Mr. Goodrich, one of the main contentions in your brief that you submitted to the minister and also in your evidence given the other day was that you had paid \$75,000 or some sum like that to the Dominion government. You told us what would happen if you were compelled to cease business. That is a material statement and we want to confirm it to see how much income tax you have paid from year to year. Instead of going down to the Income Tax Department and asking them to verify your statement, which they would not do without you, and without the consent of Mr. Todd, your balance sheet can be got in three or four days by train, and we will be sitting here probably until next week anyhow.

Mr. MOYER: I hope not.

The WITNESS: I have offered no testimony in regard to Mr. Todd's payments whatsoever; I have offered them in regard to my own company.

*By Mr. Neill:*

Q. Have you authority on behalf of Mr. Todd to say that we can go and poke into his income tax receipts?—A. Not at all. There have been no representations made, as far as I know, in regard to the income tax payments of the Todd company.

Q. I thought you could at least give us better information as regards this relationship—this relationship by which you have a common pay roll and yet one company gets more of the fish than the other? That could be explained, could it not? I still think we ought to have the balance sheet.

Mr. POTTIER: What has that to do with whether or not they should set traps in carrying on the salmon industry?

Mr. NEILL: Because they say that in consequence of the traps being stopped the sum of \$7,000 a year being paid for income tax would cease, and I want to verify that and see if that is true. Have they paid this large sum every year for income tax?

*By Mr. MacNicol:*

Q. I would like to ask the witness one or two questions to clear up something that is in my mind. From the evidence, I would take it that if you are prevented from using traps where they now are that your business would be extinguished; that your company would be put out of business, and that in connection with that the village or town or whatever it is of Sooke and the community around about would be very materially injured. Would all that result from the closing of the traps?—A. Mr. Chairman, I stated quite clearly the other day that my statement referred to my own company—the company of the Sooke Harbour Fishing & Packing Company Limited. I said that my company would go out of business, which they would do. Their entire set-up is predicated upon the operation of these traps, and without licences the traps could not be operated. The other company, J. H. Todd and Sons Limited, have interests elsewhere. They have canneries in the north, and undoubtedly their company as a company would go right on whether the trap licences are issued or not. They will not, however, operate—so I am told by Mr. Todd, and I have every reason to believe—they would not, however, operate the Empire cannery at Esquimalt, and, certainly there would be no operations at Sooke.

Q. So that Esquimalt and Sooke would be very materially affected by the refusal to operate traps?—A. Yes, certainly.

[Mr. Chas. F. Goodrich.]

Q. I would like to ask one further question. I cannot understand why you have not had more traps or have you not been able to get licences? I gathered that the fish apparently swim towards the Canadian shore first at or about Sooke, or wherever you have your traps on Vancouver Island, and from there they cut across to the American waters; and it strikes me it would only be good patriotism or good business to catch as many of those fish as we can while they are in Canadian waters. Apparently, after you catch 2 per cent—I believe that is the figure—the fish then swim across into American waters, and after the American fishermen have taken all they can take of Canadian fish—every last fish they can get—what is left go up the Fraser river, and there again we get a share. I do not understand why the British Columbia government has not insisted on you putting out more traps and catching as many of those fish as you can before they cross to American Waters?—A. Our own company is operating about as many traps as it can conveniently operate with its present equipment. We would not care to extend our operations. As to why other companies do not venture into the field, I cannot answer authoritatively. I do not know that two other companies, in Vancouver at least, contemplated such an action, and we told them that we would be very glad to see them do it, but for some reason it was abandoned, having some other plans, apparently, that required all their energy or capital. At any rate, the idea was abandoned for some reason or other.

*By Mr. Pottier:*

Q. It would be quite a gamble as to whether it would pay or not?—A. It is.

*By Mr. Tomlinson:*

Q. How much does a trap net cost? What is the total cost?—A. There would be two ways of answering that, Mr. Chairman. If you start from what you might call scratch the cost would be greater, of course, than your annual cost from year to year, because some of the equipment you salvage at the end of every season, and that, of course, reduces the amount of new material which you have to buy. The net cost, I should say, runs from about \$14,000 to \$20,000.

Q. For one trap?—A. Yes.

*By Mr. McCulloch:*

Q. How many of those traps have you?—A. Five. I am speaking now of the bad months. We average something over five. There were six for a few years and four in a few; but I ran over the average briefly the other evening and I found that the average is something over five traps a year.

MR. TOMLINSON: In other words, if you were refused a licence you would have on your hands about five traps.

THE CHAIRMAN: Of the two.

MR. TOMLINSON: Of the two companies.

WITNESS: Yes.

*By Mr. Tomlinson:*

Q. Valued at between \$14,000 and \$20,000?—A. No, I do not mean to say that. We would have on our hands considerable fixed material that does not go into the cost of construction of the traps.

*By Mr. Telford:*

Q. About what would be the annual depreciation or loss? I understood you to say that the wire was practically abandoned at the end of the season?—A. Not only practically but absolutely abandoned. All of the wire in use on a trap is

cut down. There is no salvage of the wire. The cotton web which is used at the installation of the spiller and the pot—the cotton web does not last through the whole season, it is replaced every few weeks and a new one put on, the old one being taken into Sooke, washed with water under pressure and the seaweed and slime washed out of it, and then it is not put back on the trap, until it receives a fresh coating of tar. So we have to have several suits of cotton web to last us through the season.

*By Mr. Pottier:*

Q. What is the life of the average pile?—A. I could not answer that question from actual knowledge. I should suppose, probably five to seven years, but it is growing shorter all the time. It starts in maybe as 100 or 110-foot piling and it would wind up as a piling suitable for inshore.

Q. What is the average replacement of piles per trap per year? How many new ones do you buy per trap?—A. I am not answering by the book now. My memory indicates that we buy new from 100 to 125 pilings each year.

*By Mr. Moyer:*

Q. What is the cost?—A. Usually long piling, and they cost—average about 20 cents a lineal foot.

*By Mr. Neill:*

Q. The very longest ones?—A. We usually buy the longest ones.

Q. How many poles do you use in a trap?—A. It varies according to length.

*By Mr. Moyer:*

Q. How many poles are there in a 2,000-foot lead?—A. I think about 450.

*By Mr. Neill:*

Q. In a lead of 2,000 feet? Ten feet apart?—A. Repeat that question.

Q. How many poles would you use in a 2,000-foot lead?—A. I understood you to mean for a trap with a lead.

Q. In a trap with a lead?—A. About 400 to 450, I think. That may be somewhat confusing as I have answered it, but you understand there are additional piles presented when that lead—after the web is dropped it is necessary to drive an addition—what are called brace piles outside. Does the committee understand?

Q. I do not think we need to go into that. You said it would take about 400 piles to an ordinary trap.

*By Mr. Tomlinson:*

Q. Suppose you were refused a licence at Sooke, what effect would that have on the fish travelling past Sooke point and over into American waters, because they do, as I understand it, go around by Sooke point and over into American waters—what would the effect be if you did not get them? What effect would that have; would they just increase the American catch?—A. Mr. Chairman, taking these statistics as a guide which, I presume, is the only guide we have on the subject, you have there in that printed form a statement of the pack over a ten year period. Something like 65 per cent of the pack have been taken over the years 1925 to 1934 on the American side. Something like 32 or 33 per cent have been taken on the Fraser river. If the same ratio were to continue it would mean that out of every 1,000 fish that you now catch at Sooke approximately 650 of them would be taken in American waters on Puget Sound and 350 approximately would reach the Fraser river and perhaps be taken there.

Q. That is your personal opinion.

*By Mr. MacNeil:*

Q. Is it not true that those statistics were compiled prior to 1935?—A. Yes. [Mr. Chas. F. Goodrich.]



Q. And since that time the percentages might be reversed?—A. They might be. It is not determined whether they will be or not.

Mr. NEILL: The catch of salmon is now reversed. The gentleman's answer is. I think, correct if you deal with conditions prior to 1935 and 1936. The American folk took their traps out and now get 41 per cent.

Mr. TOMLINSON: I wanted this man's personal opinion. He is under oath, and I know he will give it fairly.

Mr. NEILL: He does not tell you about the American traps being taken out.

The WITNESS: I am practically of the opinion that we have not as yet data to form a well founded opinion on this subject. I am still of the opinion as the Fisheries Department stated the other day that the figures for 1936 are not a sound criterion because a considerable number of the fish which ordinarily travel along the route indicated in 1936 went around the north end of Vancouver Island and through Johnstones Straits. In 1935 the situation was somewhat complicated, as has been stated by certain strikes that were prevailing on Puget Sound during the early part of the run. Taking 1935, however, as a basis, even without making allowance for that strike, I think you will find without making many deductions which have been mentioned of fish not caught on the Fraser river but canned there I think your figures would be something like  $47\frac{1}{2}$  per cent against  $47\frac{1}{2}$  per cent. In other words, out of every 1,000 fish taken now by the traps 500 of them only would be taken in American waters and the other 500 would reach the Fraser river. That is as near as I can answer the question.

Mr. MACNICOL: Has there been a strike among the American fishermen?

Mr. HILL: We would still lose 500 fish out of every thousand, giving 500 to the Fraser river.

*By Mr. Telford:*

Q. Would it be possible to take fish in any other way?—A. I am convinced firmly that it would not be possible.

*By Mr. Tomlinson:*

Q. Would you give us your reasons why it would not be possible so that we may have them on record?—A. Because the experiment has been tried repeatedly with entire lack of success. I do not know whether the chairman has anything on that subject from Major Motherwell's office on Vancouver Island. I am sure that Major Motherwell will confirm the statement that licences have been issued to purse seiners to operate in these waters, and they went there and did operate, and had no success, and went away.

*By Mr. Neill:*

Q. Why? Tell them why they had no success?—A. The reason? I think I answered that the other day, did I not? I explained about the fact that the fish did not school up in these waters and they were unable to locate large enough bodies of fish as a school to make it practicable to operate with purse seines profitably.

*By Mr. MacNeil:*

Q. Are you speaking of the waters by the Swiftsure banks?—A. No, between Sombrio Point and Beechy Head where the traps are located.

*By Hon. Mr. Tolmie:*

Q. Have the currents and tides anything to do with it?—A. Yes. The tides are very strong and the purse seines have difficulty in not having their seines tangled by the tides.

*By Mr. Tomlinson:*

Q. Is there a current there—a swift current?—A. Yes, the tide runs there strong when it does run.

*By Mr. Moyer:*

Q. How high is that tide?—A. Oh, 10-foot drop.

*By Mr. MacNeil:*

Q. If the licences were discontinued, would your company consider an investment in purse seine gear for operation on the Swiftsure banks on the same basis as the American fishermen. I understand they operate successfully and the largest catches come on the Swiftsure bank?—A. No.

Q. Would you care to say why Canadian fishermen have not competed with the Americans in international waters?—A. I have tried to say, Mr. Chairman, the committee might find it possible by not going into detail which might occupy more time than the cost would warrant, there are purse seine boats that operate in British Columbia. I do not know just how many.

Mr. NEILL: Quite a lot.

The WITNESS: Yes, quite a number. Possibly you could tell them how many.

Mr. NEILL: I certainly know there are a lot. I think you would be justified in saying you know there are a large number of your own knowledge.

The WITNESS: Mr. Chairman, Mr. Neill could probably tell you more intelligibly than I why more of those do not operate at Swiftsure Bank. I do not want to get into it.

*By Mr. Green:*

Q. Do the American seine boats that operate off Swiftsure Bank operate in other districts?—A. Yes, they do. The American boats do operate in other districts—at Swiftsure Bank, and then they may come to Puget Sound to fill up a portion of the season and may go elsewhere—down off the coast of California where they fish for tuna and other fish.

*By Hon. Mr. Tolmie:*

Q. They work continuously for the whole year by changing their fishing territory?—A. Yes.

*By Mr. Green:*

Q. Is it not a fact that American seine fishing has been developed to a greater degree?—A. I believe it has.

*By Mr. Taylor:*

Q. Is it not a fact also that the fish are not in so good condition off the Swiftsure Banks as they are further on in the strait of Juan de Fuca?—A. I think, Mr. Chairman, I am not qualified to answer that. If it were possible to can the fish immediately they have come out of the water I think that the condition of the fish as taken off Swiftsure Banks would be perfectly satisfactory.

Mr. NEILL: Superior.

The WITNESS: No, I do not say superior.

Mr. NEILL: The farther out you go don't the fish get better?

The WITNESS: As long as you stay in salt water it does not matter, a few miles one way or the other.

Mr. NEILL: They are certainly not inferior at Swiftsure Bank.

The WITNESS: They are very good fish and perfectly satisfactory. They are, however, full of feed, and if they were transported a great distance there might be deterioration from that cause.

[Mr. Chas. F. Goodrich.]

*By Mr. Hill:*

Q. How many fish are taken in those traps by the two companies, approximately?—A. Sockeyes, an average of about 50,000.

Q. That is what I understood. Between 40,000 and 50,000. Would it not appear if those traps were removed that those 50,000 fish would go through and 50 per cent would be taken, half by Americans and half by our own people on the Fraser river? That would mean that about 25,000 would be taken of which we would get about 12,000 instead of 50,000. The Canadian catch would run about 35,000, is not that a fact? Would it not figure out like that?

The CHAIRMAN: Apparently. There is one question I would like to ask Mr. Goodrich—

Mr. MACNEIL: This is the sort of thing that has been seized upon as a pretext to restore the American traps; that the Canadian traps would be wiped out.

Mr. TAYLOR: I do not think the Americans are much concerned about the traps in B.C. I do not believe the initiative upon the Washington side was developed by opposition to the Sooke traps. Possibly they have had the handle end of the whip all the time. An emotional contest developed in Washington about this question of traps, simply because one class of fishermen disliked another class and thought they were getting too much advantage. They destroyed the traps and when they saw they were not getting the fish they said they were going to institute traps again, because their intention is to get as many of the salmon that travel through the waters as they possibly can without consideration of B.C. at all. I think if we get that properly into our heads we realize the orientation of this whole question. The gill netter is against the purse seiner, the purse seiner is against the trap, the troller is against all. They are against each other; and I as a socialist would like to see traps and floating canneries and purse seines and gill netters which stay out in the waters week after week and suffer all kinds of privations. We can probably fish and can and process all the fish in the waters necessary for our people, but since we have got this system that we are working under let us be just to every industry, but let us preserve as far as we possibly can the proper conditions. If the traps are found to be destructive, let us have such regulations as would prevent them being destructive, but do not hand them over to another class of fisherman to make a profit out of and exploit.

The CHAIRMAN: Just a moment. I quite agree with Mr. Taylor's statement that the traps were discontinued on the American side because the local fishermen who could not get money to provide those traps were opposed to them, and public sentiment voted the traps out. Now, you say the traps are coming back.

Mr. TAYLOR: No, I say—

The CHAIRMAN: Who is going to bring them back?

Mr. TAYLOR: The American people.

The CHAIRMAN: By vote or legislation?

Mr. TAYLOR: By the lapsing of the existing act. I believe these acts can be reviewed every two years. Now, there is an agitation on the Washington side that these traps in American waters be re-installed. I do not know whether it will be successful. I have gathered information here and there. But if they do come back it might be because B.C. has five traps at Sooke.

The CHAIRMAN: I agree with you there. If it was fair and good judgment on the part of the American people to do away with those traps because they interfered with the local fishermen, would that not apply in Canadian waters?

Mr. TAYLOR: No, sir. I am very strongly disposed to think that the decision was an emotional decision. The voters were not all fishermen. They were taken from all over the country after considerable agitation had been raised in Washington about this trap business.



The CHAIRMAN: The voters have a sense of fair play.

Mr. TAYLOR: I grant you that, but that sense is limited to their own conditions in their own parish pump. We have a sense of fair play also, and we must deal with that around our parish pump, and we have a parish pump at Sooke with extraordinary conditions. It has been demonstrated that strategically Sooke is one point in the movement of fish to the Fraser river where they are capable of being caught from the land by means of traps. Now, it has also been demonstrated that purse seines cannot be operated in those waters, that trolling is very little resorted to and that gill netters have very little chance of doing much business in that area. Now, that being the case we are using a means of catching fish and not keeping people out of the fishing business who would not otherwise be so kept. Consequently, the situation has no interest in the case of people outside of the Sooke traps.

*By Mr. Hill:*

Q. In many waters they substitute purse seines for traps, do they not?—

A. Yes.

Mr. MACNEIL: If this point of view is to be presented I think I should state the fact that the evidence is to the contrary. In the state of Washington, the continued operation of traps in Canadian waters has been seized upon as a pretext for the restoration of their traps, and that is the chief argument being employed at the present time in that state. Undoubtedly, the legislation to restore the traps in the upper portion of Puget Sound is going through.

Now, I think that the point of view held by the organized fishermen in British Columbia must not be ignored. These men are engaged in a hazardous calling and they have a heavy investment in boats and gear. This committee has taken a significant step in widening the scope of its enquiry. If the state of Washington legislature restores the use of traps in their waters it will then be claimed that more Canadian traps should be located at strategic points in Canadian waters and naturally the fishermen fear that they are likely to be wiped out. I think very serious consideration should be given to the fact that our Canadian fishermen have made a very considerable contribution to the development of our fishing industry.

Mr. MOYER: I would like to ask the witness a question based on an extract contained in an address by Mr. Neill in the House of Commons on the 25th of January last at page 245 of unrevised Hansard where Mr. Neill quotes from Mr. Frank Bell, United States Commissioner of Fisheries. Have you, Mr. Goodrich, any documentary material with you which would indicate in your opinion more clearly the attitude of Mr. Bell towards trap net fishing?

The WITNESS: I have a report of the hearings which Mr. Found has with him entitled "Fish Traps in Alaskan Waters. Hearings before the Committee on Merchant Marine and Fisheries, House of Representatives, January 15 and 16, 1936." This is what is known as the Alaska Fish Trap Bill and it was designed to eliminate trap net fishing in Alaska and also to make stringent regulations in regard to the operation of purse seines there, particularly in the matter of eliminating the traps in Alaskan waters. The matter was referred to Mr. Bell for his comment, and on page 3 of this publication, Department of Commerce, February 4th, 1935, I read: "Subject: H.R. 4254, to prohibit the use of traps and fixing the limitations on purse seines and purse seine boats in Alaska." Mr. Bell says in part as follows:—

As to that part of the bill which after January 1, 1935, would prohibit the use of any trap, weir, or pound net in the waters of Alaska, I wish to say that in my opinion this action is unnecessary either for reasons of conservation or upon economic grounds.

It is my belief that in some parts of Alaska traps are a proper and economical method of capturing salmon. In other places, where natural

[Mr. Chas. F. Goodrich.]

conditions are unfavourable, they are not considered proper and therefore are not allowed under the regulations of the department.

An important point for consideration in connection with the proposal to prohibit fish traps in the waters of Alaska is that in those parts of the Territory where traps are permitted the quality of the product is of the very best. I do not say that salmon caught in seines cannot be the equal in quality of those caught in traps, but the chances are greater that the consuming public may get a less satisfactory product if the salmon are caught by purse seines.

Another matter in considering the merits of traps and other types of fishing apparatus is the fact that it is easier to enforce the law and regulations in regard to closed seasons and places of operation in the case of traps than it is in regard to seines. Traps are at definitely fixed points and cannot be moved from place to place on a few minutes' notice as in the case of seines and other mobile types of gear. Purse seiners roam from place to place in the many hidden bays and inlets searching for schools of fish. There is often a temptation for them to go into rivers and other prohibited waters to make catches of salmon. The actual driving of salmon downstream from the spawning grounds into such nets has occurred from time to time.

This may be taken as an indication of the success of the Department's efforts in protecting and conserving the fisheries, including the regulation of fish traps. Under the circumstances I can see no need of so drastic a step as to abolish traps; in fact, such action would work great hardship upon the industry in some places. An example is Cook Inlet, where the muddy water and swift currents make it exceedingly difficult to capture large numbers of salmon economically in any way other than by traps. It is true that gill nets are employed, but their catch is much smaller than that of traps. At Chignik and elsewhere are a particularly desirable form of fishing apparatus.

Very careful consideration of the entire subject of traps leads me to the firm belief that their prohibition from the waters of Alaska would be unwise. There has been much popular outcry for years against traps, but, after all, it comes largely from individuals who want to avoid the effects of any competition with the fishing gear they themselves operate."

This is signed by Frank T. Bell, Commissioner, and there is a notation at the bottom: "Enclosed is a memorandum from the Commissioner of Fisheries, this department, in which I concur." (Signed Daniel C. Roper, Secretary of Commerce.)

Mr. POTTIER: Has this committee got before it the report of a commission which I understand conducted an investigation five, ten or fifteen years ago?

Mr. FOUND: No, but it can readily be produced.

Mr. POTTIER: The question before that commission was practically what we have before this committee at the present time in part, was it not?

The CHAIRMAN: Well, I suppose the Duff Commission, as it was called, covered the whole of the salmon industry including the use of traps and seines.

Hon. Mr. STIRLING: Was that the 1922 Commission?

Mr. FOUND: 1922.

Mr. POTTIER: It was the Duff Commission. I would like to have a copy of the report of that commission before this committee.

Mr. NEILL: I do not know whether they made any pronouncement against traps.

Mr. FOUND: They did not make any pronouncement against them. They went into the whole question.

Mr. NEILL: I would like to call the attention of the witness to this fact. He has quoted at great length from a statement made by Mr. Bell, United States Fisheries Commissioner, but did you know, Mr. Goodrich—although you might, perhaps, in a casual glance not notice it—that he was dealing with a suggestion to eliminate entirely all traps in Alaska, and his answer was no; that he would not eliminate them all; he would not entirely prohibit them. What has that got to do with this subject?

Now, Mr. Moyer has referred to what I said in Hansard. In fairness, he ought to have quoted what I said. If there is any contradiction in Mr. Bell's statement I would like to know where it is:—

“Fish traps for the taking of salmon were described here by Frank Bell, United States Commissioner, as the most vicious type of gear in operation. . .

Mr. MOYER: Where was that statement made? Where are you quoting from?

Mr. NEILL: I am quoting from a newspaper cutting in one of the local newspapers in British Columbia. The item is headed “Seattle, December 7th.” The item continues:—

. . . because they are driven along the shore lines in locations where they may interrupt the runs of salmon twenty-four hours a day.

It is only a question of time until they must be eliminated entirely or regulated, so they will not be so destructive,

I have already closed 100 of the 400 traps operating in Alaskan waters during my first year in office and I am in favour of eliminating them all.”

Mr. MOYER: We read what he says in his official report.

Mr. NEILL: Dealing with total prohibition in Alaska. He does not believe in total prohibition. He is taking 100 out of 400.

Hon. Mr. STIRLING: Can we have the dates of those two statements by the same man?

The CHAIRMAN: The statement read by Mr. Goodrich is dated June 18, 1935.

Hon. Mr. STIRLING: Was Mr. Neill's subsequent when he had a change of heart?

Mr. NEILL: The clipping I have is dated December 7th, but it does not say what year it was, but there is another one which would suggest it was in 1934.

Mr. TAYLOR: Following on what has been said, it would appear that we would do well to limit our consideration to the matter of these traps at Sooke, and I therefore move:—

That in view of the evidence of exceptional conditions prevailing on the southwest coast of Vancouver Island between Sombrio Point and Beechy Head, the policy of confining in British Columbia the issue of trap-net licences to this area, which has been observed by the Department since 1904, be continued at the discretion of the Minister and that it be recommended to the Minister that he carefully review the then existing circumstances when determining annually whether or not licences shall be issued in the aforesaid area.

Moved by Mr. Taylor, seconded by Mr. Hill.

Mr. NEILL: Is it customary to introduce a motion in the middle of a man's evidence. Be courteous to the witness.

Mr. TAYLOR: Pardon me. I did not intend to break any rules.

Mr. MOYER: The witness is at the disposal of the committee. As far as I am concerned, I am quite content to drop any examination at this stage and let the committee deal with the motion.

[Mr. Chas. F. Goodrich.]



Mr. NEILL: Have you studied that resolution?

Mr. MOYER: I have listened to it.

Mr. NEILL: Have you studied it?

Mr. MOYER: I think it is a resolution worth being considered, and I think it would shorten the time of the committee to deal with it. The witness is available for further examination or cross-examination.

Mr. NEILL: It is impossible to give an offhand opinion on a long thing like this. With the permission of the chairman I will read it again:—

That in view of the evidence of exceptional conditions prevailing on the southwest coast of Vancouver Island between Sombrio Point and Beechy Head, the policy of confining in British Columbia the issue of trap-net licences to this area, which has been observed by the Department since 1904, be continued at the discretion of the Minister and that it be recommended to the Minister that he carefully review the then existing circumstances when determining annually whether or not licences shall be issued in the aforesaid area.

I would point out that that resolution contains a statement which is not a fact when it states that this system has been observed by the department since 1904, because it has not been observed since 1904. A number of trap licences were issued in 1925 as we all know. Then he goes on to say that the system be continued as at present at the discretion of the minister. In other words, leave things as they are. That, of course, is a matter of opinion; but it is not correct to put into a resolution a statement that is not so; because that has not been continued since 1904, because the records show, and Mr. Found can tell you how many were issued in 1925. There were 25 issued in 1919, and to talk about them not doing that since 1904—

Mr. TAYLOR: You can cut out 1904 and substitute "for some years."

Mr. NEILL: There were 25 issued in 1918 or 1919; why say 1904?

Mr. TAYLOR: If that is an historical statement it can be easily adjusted.

Mr. FOUND: Mr. Neill's question is correct. This historical statement, "the policy of confining in British Columbia the issue of trap-net licences to this area which has been observed. . . ." could be corrected if we say, "With few exceptions" or something of that nature.

Mr. NEILL: A few instances?

Mr. FOUND: Yes.

Mr. HILL: These traps or licences have been issued in this particular area since 1904, have been continued there, but no other place. That is the intention of the resolution. They continue to issue licences as has been done since 1904, but no trap licences were issued in other areas. That is the intention.

Mr. NEILL: The resolution reads, "the policy of confining" as has been in force since 1904. That is not so.

Mr. HILL: Make it the last few years, if you like.

Mr. MOYER: The existing policy.

Mr. NEILL: Surely, Mr. Chairman, you are not going to allow this. Here is a man who has been brought here at big expense, his own expense I presume. He wants to make a statement and he has made his statement to some extent, and some of it I wish very emphatically to combat; it is unfair to let him go away and then when he is in Vancouver or Victoria for me to come and say that his statements are not so. He is entitled to have me ask him about these things, and he can state whether he has made a mistake or whether I am wrong and so on. But to shut the examination off in the middle after having heard the ex parte statement of one without having heard the other side at all is

grossly unfair. I submit that we are not in a proper state of logical mind to pass a resolution saying that we should drop the whole thing and go on with traps as they are until we have heard the evidence of both sides.

Mr. MOYER: I have tried to make it clear that Mr. Goodrich does not object to being cross-examined; he is available to you. I would like to know if you intend to call witnesses.

Mr. NEILL: We may not get much chance to call witnesses if you railroad a resolution like this—

Mr. MOYER: I am not interested in railroading any resolution.

Mr. NEILL: You agreed to it; you are a party to it; you are aware of it now.

Mr. MOYER: You are aware of it now and so is everyone in the committee.

Mr. NEILL: We were not aware of it before.

The CHAIRMAN: No. This is the first intimation I have had of a resolution.

Mr. MACNICOL: How does the chairman suggest changing the resolution?

The CHAIRMAN: I am not suggesting any change. I think the best way is to allow Mr. Moyer to continue.

Mr. MOYER: I was just at the point of suggesting that I would turn the witness over to Mr. Neill or anyone else before this matter came up. I did not know it was coming up, but I thought that as the hour was advancing I had hoped that my witness would be finished today and would be able to go back to his work. Unfortunately, the committee has had to take long adjournments which have been very expensive for the witness, and I had hoped we could finish today. I am finished so far as we are concerned.

Mr. NEILL: I cannot cross-question a witness when there is a resolution before the house on another subject, can I?

The CHAIRMAN: In all fairness Mr. Neill should have a chance to cross-question the witness.

Mr. TAYLOR: We are perfectly willing to table the resolution until the cross-examination is completed.

Mr. NEILL: It will appear in the records so we can study it.

The CHAIRMAN: Yes.

Mr. NEILL: I do not want to assume the whole burden of the examination. Perhaps there are other members better able to do this than I am—to ask Mr. Goodrich some questions in connection with financial practices of which I am a very poor judge.

The CHAIRMAN: There was only one question I wished to ask Mr. Goodrich. In that statement he gave us the other day there was reference in 1933 and 1934 to the amount of salmon packed. The number of cases packed seemed to be almost double any other year. Was that because there was an exceptionally good run or was it because of increased traps, or why was the large increase in the catch in those two years.

Mr. TOMLINSON: While he is preparing that, may I ask that that resolution be printed and that we have an opportunity to study it. I am told it is lengthy and complicated.

The CHAIRMAN: Yes. It will be printed in the report of today's meeting.

The WITNESS: The years 1933 and 1934, Mr. Chairman, do appear to have been very successful fishing years. The pack, as you will notice, is indicated here in 1934 of nearly 498,000 sockeyes. Our catch that year in 1934 of sockeyes was 68,883 against an average over a period of fourteen years of only a trifle over 50,000. Therefore, it is considerably in excess of the average. 1933 was even larger than that at the Sooke traps.

[Mr. Chas. F. Goodrich.]

*By the Chairman:*

Q. Even considering 50,000 as against 60,000 that really does not explain it. According to these returns you have tabled it is double—the pack for those two years, 1933 and 1934, was almost double the other years?—A. Yes, except, I think if you will look back to 1930 it was a good year like 1934; you also have a heavy take in 1930.

Q. Not as far as your traps are concerned?—A. I thought you meant for the whole district.

Q. You have a catch of 8,721 cases which is almost double any other year?—A. There are many fish in the water, and the effectiveness of the traps depends a great deal upon the prevailing winds which may happen to prevail at the time that the sockeye run is passing your traps. The prevailing winds affect the tides, and if there are shore winds they seem to set the tide offshore, and a westerly wind, if one happens to prevail at the time the schools of fish are passing, will insure you a very much larger proportion of the run than otherwise.

Mr. HILL: The same thing applies in the east. We will establish a weir for catching salmon, and if the prevailing wind over a period of a month is from the east and the prevailing wind is from the west the next month and the same quantity of fish are in the bay, because schools can be found all over the Bay of Fundy, that weir will not take a single fish, but some years a weir will stop 5,000 and the next year it will not stop a single fish because the currents and winds happen to be a little different at the time the fish are running—certain tides and certain moons.

Mr. FOUND: You are speaking of herring instead of salmon.

Mr. HILL: Yes. The only reason I seconded that resolution is that I have canning industries in my particular county, and I am looking at the matter from this point of view. This is British Columbia that we are dealing with, but I am looking at it from this point of view: one man coming from one constituency opposes traps from another constituency. Now, in my case all the sardines and herring are taken in my constituency. I could have certain weirs stopped from being installed at certain points and have weirs at another point where they fish heavily, but I would not do that in my constituency, and I do not think I would be right in doing that in respect of another person's constituency. I would hesitate very much to do away with the cannery, let us say, on Grand Manan for the sake of establishing one on Deer Island. That might be effected by doing away with the catching area at Grand Manan and allowing it at Deer Island. It would appear from the evidence that even if we do away with these traps which have been taking 40,000 to 50,000 you would catch perhaps 12,000 or 15,000 on the Fraser river. That would appear to me. I would not think that over 50 per cent of those fish would be recovered. If 50 per cent of them were taken in United States waters and the other 50 per cent in Canada you would have your 50,000 cut down to 12,500. I cannot see that Canada would get any benefit, nor would the Fraser fishermen get any which would offset the loss at Sooke. It is a serious matter to do away with an established industry at this time. I favoured the resolution, which seems to be unsatisfactory to Mr. Neill and others, if the trap fishing was confined to this particular area, and to have no increase in the number of licences issued. That is the only reason I had in mind.

Mr. NEILL: I would like to ask some questions of the witness, and I approach the subject taking notice of the fact which I think we have rather lost sight of in this committee that the whole question is precipitated in consequence of the action of the American people in doing away with traps. Much has been said in favour of having traps in the Sooke area as long as the Americans use them. The very moment that committees and commissions reported that traps should be allowed because they had them on the American side—and that was the sole argument—the very minute the Americans abandoned traps—whether it is



called emotionalism, as someone has said, or not—that is the law anyway. The minute they do away with their traps on the American side, that ground entirely disappears. The not unreasonable justification ceases to exist why we should have traps in this area at Sooke. If you are going to have them in Sooke you ought to have them all over British Columbia; because we hear the argument in favour of it here, and it was not without force, that if you are going to have them on the American side we might as well catch them on our side. But the minute the Americans take that away, then the question is: Should we not do the same? Now I just want to try and make a desperate attempt, possibly, to try to get some insight into the financial set-up of these two companies. Mr. Goodrich, has the Todd Company got a cannery?—A. Yes.

Q. Where is it?—A. I presume you are referring to the cannery which operates—

Q. In that neighborhood?—A. —in that neighborhood?

Q. Yes?—A. It is at Esquimalt.

Q. About how many miles from the Sooke traps?—A. Oh, possibly 18 or 20 miles.

Q. Have your company a cannery?—A. No, not now.

Q. When did you cease to have it?—A. In 1921.

Q. If you have not any cannery, have you some fish curing plant?—A. We do, when the conditions are favorable, cure salmon.

Q. What is the nature of it—mild cure?—A. Yes.

Q. When did you run it last?—A. About 4 or 5 years ago.

Q. About 4 or 5 years ago?—A. No, it may have been only 3 years ago. My memory is not good for the lapse of time.

Q. You could remember it in connection with your dealings, with reference to the time of depression, the depression of 1932. Was it about that time? Well, give me some approximation?—A. Oh, about 4 years, roughly.

Q. From 3 to 5 years ago?—A. Yes, that is so.

Q. I do not want to tie you down to something that your mind is not clear on. What business was it? You processed these fish. What were they? What kind or variety?—A. Spring salmon.

Q. They were spring salmon?—A. Yes.

Q. And of course entirely, if you were mild curing, because no other kind lends itself to that.—A. That is not true.

Q. It is not?—A. No.

Q. What other kind do you mild cure?—A. Cohoes. We have never mild cured them, extensively; but they are mild cured.

Q. But you never mild cured any cohoes?—A. No.

Q. Cohoes have a better market in the fresh market now?—A. We think that they have a better market in the can, as we are situated.

Q. You were mild curing spring salmon at that time?—A. Yes.

Q. Where was your market principally?—A. The market—I think that we sold them to Scandinavian countries. We sold them direct to buyers, and we didn't do the shipping ourselves.

Q. I think they go largely to New York to the rich American Jews?—A. No, I think not from Victoria, Mr. Neill.

Q. They go to Europe, at any rate?—A. They go to Europe, yes.

Q. Here is a thing that puzzles me. You stopped your cannery in 1921. You mild cured there after for some years, I think 6 or 7—nearly 10 years. What did you do with the salmon that you caught in those years in your traps that you did not mild cure?—A. During the years that we mild cured?

Q. After you had stopped canning?—A. We sold what the City of Victoria required in a retail way; I mean, we sold to the dealers.

Q. Did you sell sockeyes?—A. No.

[Mr. Chas. F. Goodrich.]

Q. What did you do with your sockeyes?—A. The sockeyes have always been canned.

Q. They have always been canned? You closed your cannery in 1921 and you never had one since, and you mild cured from then until 3 or 4 years ago. What have you done with the sockeyes that you caught in that interval?—A. They have all been canned at the Empire Cannery at Esquimalt.

Q. At the Todd Cannery?—A. Yes.

Q. They were canned in Todd's Cannery?—A. Yes.

Q. Now we are getting at it. Why did you stop mild curing?—A. Because the market situation in Germany, which was one of the principal markets, was very unsatisfactory. You could sell mild cured salmon in Germany but you could not take any money out of Germany.

Q. That is what I was suggesting. I thought there was a market for it among the rich German Jews in New York?—A. Not as a rule, of salmon mild cured on the Canadian side.

Q. Then since 3 or 4 years ago when the market prevented your going on with mild curing, what did you do with that class of fish which you formerly mild cured? How did you handle it?—A. They were sold fresh.

Q. They were sold fresh?—A. Yes.

Q. In Victoria?—A. No, not altogether in Victoria.

Q. Where would they go? What market would they find?—A. Seattle, and Victoria sometimes, too—Vancouver and Seattle.

Q. Yes, where they competed with the springs caught on the west coast a few miles from your place, caught by the trollers, the individual fishermen. That is your market too, is it not, Mr. Goodrich?—A. Yes.

Q. That is so?—A. Yes.

Q. The answer is yes?—A. Yes.

Q. And they compete with them. It is pretty hard on a troller going out from morning till night, with a few lines, to compete with a method of fishing so tremendously potent as yours?—A. I would not say that. They have always received prices at least equal to ours, I think.

Q. But yours is a special way of catching them, is it not?—A. It does not affect the market. It is not large enough.

Q. You compete in the same market as the troll fish, and you have a very much cheaper and more convenient method of catching them?—A. Theoretically, perhaps.

Q. I beg your pardon.—A. Theoretically, perhaps.

Q. Well, you say theoretically, but I would call it actually from the standpoint of a man who goes out at 3 o'clock in the morning and comes back at 10 at night. It is not theory. It is very hard fact. He comes back with 3 fish, and his market is in Seattle and competes with the trap caught fish that we are talking about.—A. That is not my statement, of course.

Q. I beg your pardon?—A. That was not my statement.

Q. No, it is my statement.—A. Your question was: Did our fish compete with troller caught fish?

Q. Yes.—A. My answer was: Theoretically, perhaps.

Q. Will you define what you mean by theoretically as compared with actually? I think it is actually.—A. Actually our fish were all sold to one fishing company in Seattle. There are many fishing companies in Seattle. The market is very large; and the amount that this one man bought for his own particular trade, he having established for years a demand for a certain quality of fish, did not affect the general market in any degree.

Q. That is your statement?—A. That is my statement.

*By Mr. MacNicol:*

Q. You got the fish right when they were best?—A. They were all sold to one company, yes.

Mr. NEILL: No, Mr. MacNicol's question was: You got the fish just when they were best quality?

Mr. MACNICOL: The best quality, yes.

*By Mr. Neill:*

Q. Answer that, please?—A. Well, I am not posing as an expert in regard to that. It is quite a large question. I will go into it if the committee is sufficiently interested, but it is not easily answered. It is not true that our fish are the best for all purposes. The troll caught fish from the district—

Q. The Swiftsure banks—

Mr. GREEN: Let him answer.

The WITNESS: Well, from on farther down the coast from where we are, the troll caught fish are more sought after by the mild curers, than are the trap-caught fish. We are speaking now of the spring salmon only. Those who are doing the mild cure always prefer troll caught fish to these Sooke fish. Sooke fish are probably next in quality for that particular purpose, and the Puget Sound fish the third in quality.

*By Mr. Neill:*

Q. What was that purpose? Mild curing, was it?—A. Mild curing, year.

Q. You class your trap-caught fish as second for mild curing—your spring for mild curing?—A. So the mild cure buyers think.

Q. That is your answer, Mr. MacNicol. You wanted to know if his were the best, and he says, No, they are second.

Mr. MACNICOL: I was hoping that the traps would catch the best of the Canadian fish.

Mr. NEILL: And you have been told otherwise.

The WITNESS: They do, Mr. Chairman.

*By Mr. Neill:*

Q. I beg your pardon.—A. I say our quality of canned fish is recognized as a standard of quality. There is no other product in British Columbia which excels it in quality.

*By Mr. MacNicol:*

Q. What is the name of the standard? What is the standard name?—A. Sockeyes usually are sold—in fact, are always sold, when they are labelled, under the name of Horseshoe. Now, in regard to the spring salmon which are mild cured, I will have to go into some detail if I want to make myself clear on it, I think.

The CHAIRMAN: All right.

The WITNESS: This has become a highly specialized business. The larger fish are mild cured; that is, the head is taken off, the entrails taken out, the backbone is in part taken out, a knife being run down splitting the backbone and cutting part of the backbone out. They are then packed in salt, with about a 90 per cent solution of brine. Later on they are examined by the buyers and graded. They are graded on the basis of the amount of fat that is contained. When these mild cured salmon are shipped to their destination they are given a mild smoke and cut off in very thin slices and sold in the delicatessen stores. In certain districts, for some reason, the fish are a deeper red than they are from certain other districts; and they claim, too, that fish from certain districts for some reason are more fat in the belly; and all these things enter into consideration. So that for some reason the west coast fish, the ones taken down in the district which the member from Comox-Alberni has referred to, are more sought after than the trap fish from Sooke. They admit that the difference is very, very slight and that the ordinary man could not detect a difference. But they claim

[Mr. Chas. F. Goodrich.]



that there is a difference in colour and in the fatness. I am sorry to have taken up your time on that.

The CHAIRMAN: It is quite all right.

*By Mr. Neill:*

Q. Would you go back to what we were discussing when Mr. MacNicol spoke. We came to the question of marketing, and I had asked you if you did not think you were competing in the market with the troll caught fish with your trap caught fish, and you said theoretically only. I asked you to define that and you explained that you did not regard it competing in their market because you sold all your output to one man. I submit that that is not a logical answer, because the people on the west coast—the Kyoquot Trollers Association—sell to one man. But in the word market I do not mean one man to the other. When you talk about the European market you do not refer to the firm of Sieman & Company. I refer to the general market. And when you say that your market for these springs was in Seattle, trap caught springs compete with those from the west coast, which you said later on are a better quality, I think it is logical to say, without any qualification, that you are competing in their market. I would ask you, Mr. Goodrich, if you would not qualify that word theoretically to, say, “theoretically and actually.”—A. No, I cannot do that, Mr. Chairman, because I do not believe for one moment that the amount of spring salmon which we ship to Seattle would affect the market price which the Kyoquot Trollers get for their fish.

Q. You do not allow there is competing?—A. No.

*By Mr. Taylor:*

Q. It is in no sense different from the competition of the purse seines?—A. No.

Mr. TAYLOR: The point is weak, unless purse seines are included as another method.

Mr. HANSON: I think it is absolutely out of order, because all fish caught in British Columbia, salmon or any other fish caught by any method, is naturally sold in the best market, whether that is Seattle, Vancouver or Liverpool. There is not any difference. We all look for the best market. We are all competing, whether we are trolling, seining or trapping. They are all competing, selling to the same market, or the best market.

Mr. NEILL: The witness says only theoretically.

Mr. HANSON: Well, that is his opinion, probably; but we all have sense enough to realize what happens when you have something to sell.

The WITNESS: I have given you the facts as nearly as I can.

Mr. NEILL: The dictionary meaning of theoretically is “in theory only.” I hope these men on the coast come to understand that.

*By Mr. Neill:*

Q. Let us come to the situation that has been revealed by your more recent remark. Somewhere in the files here—I cannot put my finger on it at the point—is a statement showing that in certain specific areas in recent years that you took out for traps so many licences and the Todd outfit took out so many licences. It would appear, if I remember rightly, you told us at the beginning that you were separate entities but you had common use of the traps. I think that requires some explanation. You caught your fish in common, you said, and you had a common payroll, that you took your fish, so many of the number going down one side to Todd and the other side to you. Then just now you said you have not got a cannery, and for four years or thereabouts you are out of the mild curing business. I asked what has

become of the fish and we are told that they were sold fresh—that would be spring and cohoes—but that the sockeyes were all canned in Todd's Cannery. That is a correct statement is it not?—A. I don't think I ever made the statement that so many fish would be put on the one side and so many on Todd's.

Q. I did not say anything about Todd's. I am only dealing with yours, because you are the man who is giving evidence. But the records show you took so many thousands out in a given area. I asked and you told me you had not got a cannery. Now I ask what you did with them and you said the sockeyes were canned by Mr. Todd. That is correct?—A. Every sockeye that was canned by Mr. Todd was the joint property of Mr. Todd's Company and ourselves. Every spring salmon that was mild cured was the joint property. Those figures are here. I think I have made that clear. But if I have not, I have been unfortunate in expressing myself.

Q. Oh, no you are not. You simply have not got the thing explained properly, because you started in your evidence the other day by saying you were entirely separate but you have a common payroll, common traps for your fish, Todd is interested in mild cured fish and you are interested in the sockeye canning of the Empire Cannery?—A. I went in that direction.

Q. What in the name of all that is wonderful is the distinction between that and having the whole thing in common?—A. I didn't know that it is of particular interest to the committee. I stated the fact that our two companies are separate and distinct but they have certain things in common which they worked out to their mutual satisfaction.

Q. What are the things they have in common; the catching of the fish and the canning of them, is that right?—A. They have in common the purchase and use of all supplies in the construction and operation of the traps, the payroll expended in the labour, and the proceeds from the fish after they are disposed of.

Q. And their canning of them; they have a joint interest in the canning?—A. That would be the proceeds of the fish after they are disposed of, in whatever form, whether it is mild cured or canned salmon or fresh.

Q. You are equally interested?—A. Yes.

MR. MOYER: Did you ask the witness whether he had a joint interest in the cannery? If you did, I don't think he understood you.

MR. NEILL: No, I didn't. I am asking only if he has a general interest in the whole outfit. I will put it that way. What I am wanting him to do—and I don't want to put words into his mouth, because even from my limited legal knowledge I know that is not permissible—is to say just what the set-up was, and I feel we have not arrived at that yet. First of all there are two separate entities, with no connection with each other except as to the traps, a joint interest in the traps; and now we find that the fish belong to them in common as well, whether they are mild cured by his company up to four years ago or whether they are canned by the Empire Cannery, which has been the only cannery there since 1921. I think the question is a fair one. Are you being entirely frank with us? Is the whole thing not one concern? There is no reason to be ashamed of it.

WITNESS: Absolutely no.

*By Mr. Neill:*

Q. Will you just explain the discrepancy between the statement that you are not one concern and that you have everything in common? I think that is quite a legitimate question?—A. I do not wish to take any more of the committee's time than I have to in an affair which seems to me to be 100 per cent personal. But if anybody is at all interested, I have no objection whatever to giving them any facts that they are interested in.

MR. MACNICOL: I do not see what difference it makes.

[Mr. Chas. F. Goodrich.]

WITNESS: It seems to me we are wasting time.

Mr. TOMLINSON: No. I am very much interested in this.

Mr. TAYLOR: Mr. Chairman, does the committee not understand that Todd has capital—

Mr. TOMLINSON: The witness is answering this question.

Mr. TAYLOR: The witness has answered it.

Mr. TOMLINSON: No, he has not.

Mr. TAYLOR: He has endeavoured to answer it.

Mr. TOMLINSON: But he has not answered it.

Mr. TAYLOR: Pardon me.

Mr. TOMLINSON: If you want to go into the box, get in and be sworn.

Mr. TAYLOR: The same to you.

Mr. TOMLINSON: Sit down.

Mr. VENIOT: Mr. Chairman, what bearing would the set-up of a company have on the granting of a licence for trap nets? That is what we would like to know. What bearing would it have? No matter what the set-up might be, what bearing would it have on the granting of trap licences?

Mr. NEILL: A very considerable one.

Mr. VENIOT: We would like to know what it is.

Mr. NEILL: If you wish to know, and the committee wishes to detain the witness, I will tell you. It would depend very greatly upon whether the trap licences are being granted to one outfit or to one company. They have got seven licences that they have been taking up all the time in different names. I think that when a witness comes in and makes a statement under oath as this gentleman has, we are entitled to have him shed some light on it. Up to the present moment he appears to be unable to do so, to explain just what the situation is. I am not suggesting there is something wrong. Why should it not be so? There is no reason in the world why it should not be one company, but why not say so? They have their traps in common. They have their fish in common, and yet they are not seemingly one company. What do they do about their income taxes and so on? I think it is only fair to ask that he explain just what the combination or the system is. They say they do not have shares in each other's company. Then what is it? It is some form of co-operation that is not in the text-books, so far as I can make out.

Mr. TAYLOR: Mr. Chairman, this time I am not going to be interrupted or told to sit down by any one of the members.

Mr. NEILL: You are interrupting.

Mr. TAYLOR: I bow to your ruling now. I have been perfectly satisfied with the explanations from Mr. Goodrich.

Mr. TOMLINSON: You may be.

Mr. TAYLOR: I understand that Mr. Goodrich has traps, and that Todd's have traps; that for purposes of better work and better recovery of the fish they have co-operated up to the point of catching and preparing these fish for market. The actual canning, as I understand it from Mr. Goodrich, is done by the Todd cannery at cost. The result of the profits is divided.

Mr. TOMLINSON: That has not been given by the witness.

Mr. TAYLOR: Pardon me, that is the only information I am dealing with.

Mr. TOMLINSON: That has not been given by the witness.

*By Mr. Taylor:*

Q. Am I correct in my understanding?—A. You are quite correct, Mr. Taylor. I have no objection, if the chairman wishes me to take the time to do so, to sketching it briefly.



The CHAIRMAN: I think you had better.

The WITNESS: Very well.

Mr. HANSON: If Mr. Goodrich has told us, and placed on the record what Mr. Taylor says, it is not necessary for him to repeat it.

Mr. NEILL: Yes. Let him make his own statement.

Mr. HANSON: He says he did.

The WITNESS: I will try to make it as brief as I possibly can.

The CHAIRMAN: Go ahead.

The WITNESS: I have said from the year 1932 on that the operations of our two companies have been for the joint account. As near as I can briefly sketch it for your information, commencing in 1922, we agreed that we could not continue longer to operate with duplication of all of the expenses and equipment that we then had. The Sooke Harbour Fishing and Packing Company had a cannery. Mr. Todd's Company had another cannery at Esquimalt. We were operating a pile driver then. Mr. Todd's Company were operating another one. Those are two instances only of where duplication of expenses came into the thing. The agreement which was entered into between our companies was mutually satisfactory at the time and has been mutually satisfactory ever since. We agreed to merge our supply of materials used in the construction of the traps. We agreed to handle the payroll as a joint payroll. We agreed that the proceeds of all fish when sold should be for the benefit of the two companies jointly.

*By The Chairman:*

Q. Did you agree to close up one factory?—A. Yes; and all of the cannery fish was to be processed at Esquimalt. The mild curing for all of our fish, if any, was to be done at Sooke. I think those are the essential points. Each of us retained the ownership of our own real estate and buildings. Mr. Todd's Company retained ownership entirely of his Empire Cannery. We retain 100 per cent ownership of the various boats and pile driver used; the scows that each of the companies owned were still retained by the same companies which owned them heretofore. All these things were used as occasion required for the joint benefit of our common interest.

*By Mr. Neill:*

Q. Just as to that, I did not catch it—it is my fault, but my hearing is not good—you said that the proceeds would be divided. Was that divided fifty-fifty between the two companies?—A. As a matter of fact, it is, yes.

Q. Fifty-fifty?—A. Yes.

Q. After costs, of course?—A. After costs.

An Hon. MEMBER: That is net profit.

The WITNESS: However, as I said before, we do not participate in the operations of the Esquimalt Cannery. Mr. Todd's company does all that there and submits a statement of the canning cost to us, which has always been fair and satisfactory and agreeable to our company.

*By Mr. Pottier:*

Q. And you pay the canning cost to the other company?—A. Yes.

Q. Your company?—A. Yes; our company pays the other company.

Q. A share of the canning costs?—A. Our share of the canning costs.

*By Mr. Neill:*

Q. Who owns the trap licenses?—A. Mr. Todd's Company owns some and we own some; just the same as we did before.

Q. How many do you own?—A. Three locations.

[Mr. Chas. F. Goodrich.]

Q. And the Todd outfit owns how many?—A. I don't know.

Q. Four, is it not?—A. I don't know.

Q. You don't know how many they own?—A. No.

*By Mr. Kinley:*

Q. You simply pool your operations in the catching of the fish?—A. Yes.

Q. The canning of the fish is another matter; just the same as a crew on shares, or a company on shares?—A. Practically so.

Mr. NEILL: They pooled the canning too.

Mr. KINLEY: I thought the canning was done by one company.

The WITNESS: The canning is under the supervision of one company. That is his part of the work, to can the fish and market it; and he gives us a statement at frequent enough intervals to be perfectly satisfactory.

*By the Chairman:*

Q. Does the Todd Company market your share of the catch?—A. In the canned salmon, yes sir. It is simply a division of the work. We have supervision of the marketing of the mild cure, if we mild cure, and the marketing of the fresh fish if we sell them fresh.

*By Mr. Neill:*

Q. Who supervises the sale of the fresh fish that are sold fresh?—A. I think that comes within my jurisdiction.

Q. You handle all the fresh fish?—A. As a rule.

Q. Then you account to this joint outfit at the end?—A. Yes.

Q. I do not say there is anything unsatisfactory about it at all, if it had been understood at the beginning.—A. There has been no desire on my part to conceal anything. If I have seemed to, it was merely because I did not think that it was of sufficient interest to spend that amount of time on it.

Q. It is almost 1 o'clock. There is one question I can ask before we quit. Why do you keep from 3 to 4 licences, paying for them every year, when you do not use them—which you do not use, which you do not operate?—A. Well, we are in hopes that conditions might improve so that we might be able to use all of our locations every year.

Q. What do you pay for each licence to the Dominion Government?—A. I have forgotten. What is the Dominion licence fee, Dr. Found?

Mr. FOUND: \$50.

The WITNESS: \$50, I think; and the provincial is \$100; the foreshore lease is \$100 and the tax on the foreshore lease is \$12.50. In addition to that we pay so much a licence to the provincial government for any fish that we caught.

*By Mr. Neill:*

Q. Do you not think you are a little like the dog in the manger in these days of unemployment, to keep licences that are unused? Do you not think you should surrender them to somebody else?—A. We would be quite willing to surrender to anybody who wants to try to trap. It is not done with that intention at all, sir. But I do say that we are always experimenting to some extent with the changing of our location very slightly, but somewhat.

Q. The location is the great deciding factor in the operation of the trap site, is it not?—A. Oh, yes.

Q. If you have not a good location, you might have ten traps and they be of no use. It is the location that matters?—A. Yes. It does not necessarily follow that because there are certain locations fished, that there are no locations of traps available. That does not follow.

Q. You have got these traps extended for what was it, 5 or 10 miles—

The CHAIRMAN: Ten.

*By Mr. Neill:*

Q. They extend for 10 miles, those traps?—A. That was a rough estimate on my part of the distance between the two points farthest apart.

Q. Well, it was ten?—A. I think it was.

Q. Yes, I think it was 10. And you have got 7 trap licences. There is a law that you must not put a trap within 200 fathoms, is it not, on either side of the trap?—A. I think it is 100 fathoms.

Q. Two hundred.—A. Six hundred feet.

Q. That is 200 fathoms.

Mr. KINLEY: There are 6 feet in a fathom.

The WITNESS: Two hundred and fifty yards, 750 feet.

Mr. NEILL: That is 200 fathoms, is it not?

Mr. FOUND: Two hundred and fifty yards. The Fisheries Act provides for 250 yards.

Mr. KINLEY: What is that, 250 yards?

Mr. FOUND: That is right, is it not?

Mr. WHITMORE: Yes.

Mr. NEILL: That is in section 33?

Mr. WHITMORE: That is in section 13: All stationary nets, or other stationary appliances for the capture of salmon, shall be placed at distances of not less than 250 yards apart, without intermediate fishing nets or appliances of any kind being set or used.

Mr. NEILL: That is 500 yards, because, of course, they count both ways.

Mr. FOUND: No.

Mr. NEILL: They do not?

Mr. FOUND: Two hundred and fifty yards apart.

Mr. NEILL: Two hundred and fifty yards from "A" and 250 yards from "B"—that means 500 yards, I would think.

Mr. FOUND: No. If you start at "A," it is 250 yards to "B," and if you start at "B," it is 250 yards to "A."

Mr. NEILL: You must not go within 250 yards of "A" and "B," so you must have 500 yards between them.

Mr. FOUND: No. There is "A" (indicating). There is the shoreline, and there is "B." If that is 250 yards, then "B" is 250 yards from "A" and "A" is 250 yards from "B."

*By Mr. Kinley:*

Q. If he has got his traps there, you cannot fish in between them.

The WITNESS: Quite so.

Mr. KINLEY: Fishing is eliminated there.

*By Mr. Neill:*

Q. By the time you have your 7 licences, there is not much chance for anyone else going in there and getting a trap site in that area. You have got a monopoly?—A. That is not true.

Q. What have you got, if you have not got a monopoly?

Mr. KINLEY: You have got an exclusive business.

Mr. NEILL: Yes. That is a nicer word than monopoly, but it is the same thing.

The CHAIRMAN: Is it agreeable to the committee to meet to-morrow?  
[Mr. Chas. F. Goodrich.]



Mr. NEILL: Can we get the thing printed to-night? We want to have this printed so as to get that resolution. If it could be printed to-night, it is all right.

Mr. TAYLOR: I might say that I would like the privilege of making it historically correct. Otherwise the intent of the resolution stands absolutely as is.

Mr. NEILL: By the time we have "emotionally," "historically" and "theoretically," I don't know where we will get.

The CHAIRMAN: We will meet to-morrow at 11 o'clock, gentlemen. Your notice will be in the mail box.

The committee adjourned at 1.05 p.m. to meet again on Friday, February 19, 1937, at 11 a.m.

## APPENDIX No. 2

## MEMORANDUM

## SUBMITTED BY THE MINISTER

It was indicated at the last meeting of the committee that certain petitions and correspondence would be presented to it. Copies of these have been made from the official files, going back as far as January 1, 1936. It will be understood that in addition thereto there is other correspondence from various individuals bearing on this trap fishing. The copies now presented in order of their date, are:

1. Letter from Provincial Commissioner of Fisheries for British Columbia.
2. Letter from Sooke Community Association, Sooke, British Columbia.
3. Petition from village of Sooke and vicinity bearing 194 signatures.
4. Resolution by Sooke Athletic Association, Sooke.
5. Resolution by Sooke Badminton Club, Sooke.
6. Resolution by Sooke and North Sooke Women's Institutes.
7. Resolution by Women's Auxiliary to Sooke Branch of the Canadian Legion.
8. Resolution by Sooke Branch, Canadian Legion.
9. Resolution by Sooke Branch of Women's Auxiliary of Holy Trinity Church.
10. Telegram from Zone Council, Canadian Legion, Victoria, British Columbia.
11. Letter from Clover Point Anglers Association, Victoria, British Columbia.
12. Letter from Victoria Chamber of Commerce, Victoria.
13. Letter from Victoria and District Council Canadian Legion, Victoria, British Columbia.
14. Letter from Indian Agent, Duncan, British Columbia, with petition signed by sixty-nine Indians.
15. Letter from North Saanich Liberal Association, Sidney.
16. Letter from Kyuquot Trollers Co-operative Association, Victoria, British Columbia.
17. Telegram from Salmon Purse-Seiners Union, Vancouver, British Columbia; George Miller, business agent, John Gavin, secretary-treasurer.
18. Telegram from J. H. Todd and Sons Limited, Victoria, British Columbia.
19. Telegram from Sooke Community Association.
20. Telegram from Sooke Branch, Canadian Legion.
21. Telegram from Messrs. J. H. Todd and Sons.
22. Letter from Chief Supervisor of Fisheries, Vancouver, correcting error in 1936 catch of spring salmon at Sooke traps.

OTTAWA, February 18, 1937.

## COMMISSIONER OF FISHERIES

## PROVINCE OF BRITISH COLUMBIA

VICTORIA, 17th January, 1936.

WM. A. FOUND, Esq.,  
Deputy Minister of Fisheries,  
Ottawa, Canada.

Dear MR. FOUND,—I have been discussing with Mr. Alexander the matter of trap licences as they to-day exist in British Columbia.

I understand that there is some pressure being brought to bear upon you to cancel these licences, but I am of the opinion that some caution should be shown in taking such action. As you are aware, while there were a great many trap licences in British Columbia at one time, the number is reduced to five and I believe these are all in the hands of J. H. Todd and Sons and are in the vicinity of Sooke and the sole source of supply of the Empire Cannery at Esquimalt. In connection with this cannery is also operated a can-making plant which gives employment to some people during the winter season. As a matter of fact, there is quite a little community in the vicinity of Sooke which is dependent upon this industry and which I am advised would be closed down if traps were removed. I am also advised that of the total catch of Fraser river sockeye about two per cent only is got by these traps, so the influence they have upon the total catch is very little.

I quite realize that the argument that the Americans have discontinued the use of traps does seem to take away from us any argument for retaining this system, but I think you will agree with me that we are not yet definitely assured that the Americans will not reinstate the trap system and I can hardly believe that five traps taking two per cent of the catch are likely to be of any particular influence in this regard.

Should we discontinue issuing trap licences on this side of the line I should be inclined to agree that the practice would not be again re-established, and this is all the more reason why caution should be shown in taking the step, as I am of the opinion this would do a great injustice to a canner, who in my opinion is one of the best if not the best in British Columbia, and a small community which is dependent upon the product of these trap licences.

With kind regards,

Yours very truly,

(Sgd.) GEO. S. PEARSON,  
*Commissioner.*

SOOKE COMMUNITY ASSOCIATION,

SOOKE, V.I., B.C.,  
February 22, 1936.

The Honourable,  
The Minister of Fisheries,  
Ottawa, Canada.

HONoured SIR,—We beg to submit a group of petitions submitted to our Association for transmission to you.

As you will find after reading these over this represents the unanimous feeling of our entire district and is submitted by our Association as the parent organization in our Community.

Included with these outside petitions is one drawn up at a meeting of the Sooke Community attended by representatives of surrounding districts of Otter Point, Shirley, Jordan River, North and East Sooke.

As these petitions carry their own sentiment we feel it unnecessary to add further to the disappointment that would be felt if the Department were to continue the policy expressed by the press as regards the refusal of further pound net licences and the evident unfairness to our Community.

We will all await the result of your personal investigation into the matter as we feel that we can safely leave it to your sense of fairness to protect this village from actual hardship and suffering.

I have the honour to be,

With much respect,

Your obedient servant,

(Sgd.) A. F. BROWNSEY, *Secretary,*  
*Sooke Community Association.*



To the Honourable,  
The Minister of Fisheries,  
Ottawa, Canada.

Petition of the undersigned, bona fide residents of the Village of Sooke and vicinity:

The residents of Sooke have learned through the public press that it is the intention of your Department to take into immediate consideration the advisability of renewing the Fish Trap licences after 1936 for traps now being operated by the Sooke Harbour Fishing & Packing Co., Ltd., and J. H. Todd & Sons, Ltd., on the south coast of Vancouver Island. As the renewal of these licences is a vital matter to the residents of Sooke and vicinity, your petitioners beg leave to submit to your Department the following facts, namely:

1. The Village of Sooke, where the plant of the above named companies is situated and where the operations are carried on, is situated on the shore of the Outer Sooke Harbour, adjoining the location of the traps, and is the oldest and most historic village in Western Canada.

2. About forty men in the Sooke Village are actively engaged in salmon trap fishing, the majority of whom own their own homes and have families and ten of whom are returned soldiers.

3. There are very efficient common and high schools in the village and also several established places of business.

4. The men above mentioned and their families are dependent solely upon the operation of the fish traps for a living as there are no other industries in the village.

5. The schools, churches, social and athletic associations and established places of business are practically dependent upon the continued operation of the fish traps.

6. The products used in the operation of the fish traps and the maintenance of the schools and families of the fishermen are largely Canadian products.

Your petitioners in view of the above facts wish to call your attention to the fact that the removal of the fish traps would throw out of employment all men engaged in their operation and cause great suffering and distress to them and their families by depriving them of their livelihood and adding a great many to the relief rolls of British Columbia. This, your petitioners submit, would be very unjust and unwarrantable at the present time when so many are out of work.

Your petitioners beg further leave to remind the Department that the removal of the fish traps would greatly injure the schools and churches of the village and take from merchants and other established businesses the greater part of their trade.

Your petitioners especially wish to remind the Department that this is not an ordinary case where a few scattered people may be affected, but is a case where a whole village of about three hundred people are affected as well as a large number in the vicinity who are dependent upon the operations in the village for selling their produce and for providing education for their children.

Your petitioners humbly request that before definite action is taken in this matter, your Department have the facts set forth herein investigated so that a great injustice may not be done to an old-established and historic community and your petitioners feel confident that your Department will not refrain from granting this reasonable request.

Respectfully submitted by the undersigned:—

Mrs. S. L. Dever

Mrs. H. Goodrich

Mrs. H. F. Pontious

Mrs. F. G. Gray

Mrs. M. Thomson

H. Page

L. McBeath

W. Baker

H. J. Seins

W. J. E. Sheilds

Mrs. L. Locke  
 Mrs. E. A. Helgesen  
 C. Schrieber  
 J. F. Rowe  
 H. W. Goodrich  
 Douglas Smith  
 Gus Underwood  
 Robert Acreman  
 Edwin Underwood  
 Jack Martin  
 G. H. Jones  
 S. L. Shields  
 John Bowen Colthurst  
 James Lowry  
 Albert Stevens  
 Wm. J. Walsh  
 Mrs. W. J. Welsh  
 Mrs. W. E. Baker  
 Mrs. R. E. Baker  
 Mrs. R. Kirby  
 Mr. R. Kirby  
 V. Shugren  
 W. Shugren  
 Mrs. W. H. Wilson  
 A. E. Hooke  
 S. McBride  
 Margaret H. Taylor  
 P. W. de P. Taylor  
 Harry McBride  
 Agnes H. Collins  
 Jessie E. Strong  
 Ralph W. Strong  
 C. A. Baker  
 J. E. Martin  
 Mrs. E. Milligan  
 W. J. Milligan  
 M. C. Nissen  
 George Duncan  
 Mrs. C. W. Baker  
 G. A. Turner  
 M.D. Fisher  
 G. P. Sinnott  
 G. C. Ashton  
 E. M. Robertson  
 Mrs. Wm. Shields  
 Mrs. S. L. Shields  
 S. L. Dever  
 Mrs. Jean A. MacDonald  
 Mr. C. R. Randall  
 Lewella Thomson  
 Rose Glinz  
 Mrs. G. McIntosh Sr.  
 G. McIntosh  
 I. C. McIntosh  
 Mrs. K. Graignie  
 Miss Gladys Graignie

H. F. Pontious  
 J. Collins  
 George N. Osborn  
 E. J. Pontious  
 F. R. Burns  
 J. A. Law Beattie  
 J. Flagwood  
 Mabel A. Jones  
 Geo. Bills  
 O. Brownsey  
 R. E. Baker  
 J. Phillipson  
 N. Nickelsen  
 Chas. Richardson  
 F. Richardson  
 N. L. Gettle  
 Geo. Cooke  
 A. E. Davis  
 A. E. Percival  
 A. M. Acreman  
 J. M. Johnson  
 J. W. Carscadden  
 Mrs. W. B. Charters  
 W. B. Charters  
 K. Cains  
 Jean Cains  
 J. W. Cains  
 Irene Cains  
 David Thomson  
 C. A. Redgoson  
 E. T. Arden  
 A. M. Arden  
 J. A. Acreman  
 Leslie Sykes  
 C. W. Cook  
 Luther Smith  
 J. Smith  
 Geo. R. Wells  
 Mrs. G. R. Wells  
 A. F. Brownsey  
 C. W. Seward  
 Jas. Gowdie  
 H. Sims  
 T. Blight  
 V. Blight  
 M. L. H. Lye  
 Alice Fitten  
 E. Brownsey  
 E. R. Horwood  
 K. Horwood  
 H. Slack  
 Mrs. H. Slack  
 Mrs. R. B. Mugford  
 R. B. Mugford  
 W. Locke  
 S. D. Murray

J. Forrest  
 A. L. Wilson  
 M. C. Wilson  
 Olive M. Forrest  
 Mrs. A. E. Davis  
 Mrs. A. E. Percival  
 F. G. Gray  
 Verna Richardson  
 C. Thomson  
 Geo. McIntosh Jr.  
 N. Baskerville  
 H. Campbell  
 V. Eve  
 A. Glinz  
 M. Tudan  
 D. Buone  
 A. Baskerville  
 K. Jenson  
 E. W. Welsh  
 H. Helgesen  
 Wm. Muir  
 J. McIntosh  
 Geo. Wells  
 Graw Gubbels  
 R. T. Fitton  
 H. J. Welsh  
 A. Richardson  
 T. P. McDonald  
 E. P. Arden  
 E. Gray  
 W. Locke  
 R. F. Soule  
 F. Thornber  
 W. H. Dilley  
 Mrs. W. H. Dilley  
 Elsie I. Thornber

Geo. Throup  
 Stanley P. Giles  
 Jas. Briggs  
 A. Constant  
 C. Muir  
 Bud Fisher  
 Harry George  
 J. Bradley  
 Thos. J. Cortwright  
 F. C. Pumsley  
 Harold H. Brown  
 R. Seymour  
 Thomas Wright  
 James Wilham  
 Mrs. M. Jackson  
 Mrs. Wilham  
 Mr. W. W. Baker  
 Mrs. R. Seymour  
 A. Hant  
 Mr. H. J. Whitehead  
 A. Sullivan  
 Louis George Jr.  
 F. Underwood  
 Len Muir  
 N. Olson  
 F. L. Hawlett  
 W. H. McBrien  
 Rube Acreman  
 Louis George  
 Wm. Vowles  
 Alexander Campbell  
 Mrs. W. W. Baker  
 E. McBrien  
 Mrs. O. Olson  
 Mrs. H. J. Whitehead

SOOKE A. ASSN.

SOOKE, B.C.,

February 17, 36.

The SECRETARY,  
 Sooke Community Association,  
 Sooke, B.C.

DEAR SIRS, — At a meeting of our Association held February 17, 1936 in Charters Hall the following resolution was passed.

Be it resolved that this Association is unanimous in protesting the action of the Dominion Government with regard to Fish traps in this District. As this Association depends solely on local support to further the interests of Amateur Sport and thereby contribute to the development of the coming generation of citizens, it would be practically impossible to continue if the pay-roll of this district is stopped.

Trusting this will receive the support and co-operation of your association,  
 We remain,

Respectfully yours,

President. (Sgd) F. E. GEDDES,

Secretary. (Sgd.) CLAUDE DILLEY,

Sooke A. Assn., Sooke, B.C.



Sooke A. Assn. Bad. Club,

Sooke, B.C., Feb. 17.

The SECRETARY,  
Sooke Community Association.  
Sooke, B.C.

DEAR SIR,—At a meeting of our Club, held in Charters Hall, February 16th, 1936, the following resolution was passed:—

Be it resolved that this Club, representing a group of members of the District who are trying to organize Badminton is unanimous in protesting the actions of the Dominion Government with regard to the Fish Traps in this District.

In the event of the traps closing down completely the Club would be unable to carry on any activities whatever.

Trusting this will receive the support and co-operation of your association.

We are,

Respectfully yours,

Secty. (Sgd.) F. E. GEDDES.

*RESOLUTION passed at a meeting of the Sooke and North Sooke Women's Institutes held on Saturday the 15th February 1936.*

---

Whereas notice in the Public Press has indicated that the Dominion Government does not intend to renew Fish Trap Licences for salmon fishing in the Juan de Fuca Straits after the year 1936:

And whereas investigation reveals the following facts, namely:

1. About forty men in the Sooke Village are engaged in salmon trap fishing, the majority of whom own their own homes and have families and ten of whom are returned soldiers.
2. There are very efficient Common and High Schools in the Village and also several established places of business.
3. The forty men mentioned above and their families are dependent solely upon the operation of the fish traps for a living, as there are no other Industries in the Village.
4. The schools and places of business are practically dependent upon the operation of the fish traps.
5. The products used in the operation of the fish traps and in the maintenance of the Schools and the families of the fishermen are wholly Canadian and British Columbia products.

And whereas the removal of the fish traps would throw out of employment all men engaged in their operation and cause great suffering and distress to them and their families and cause these men to go upon Relief at great expense to the Government:

And whereas the removal of the fish traps would greatly injure the Schools in the Village and take from merchants and other established businesses the greater part of their trade:

Be it therefore resolved that the above facts be brought to the attention of the Dominion Authorities and that a copy of this resolution be forwarded to the Sooke Community Association with a request that such steps be taken as will best insure the retention of the fishing licences.

Respectfully submitted,

President, (Sgd.) JEAN CAINS.

Secretary, (Sgd.) IRENE CAINS.

CANADIAN LEGION OF THE BRITISH EMPIRE SERVICE  
LEAGUE, SOOKE BRANCH

Sooke, B.C. February 17/36.

*To the Honourable the Minister of Fisheries at Ottawa:*

We have the honour to submit the following resolution passed by the Women's Auxiliary to the Sooke Branch of the Canadian Legion at a special general meeting held at the Sooke Community Hall on Monday, February 17th, 1936.

and

Whereas, We learn that the Department of Fisheries has decided to close fishing operations at Sooke after this year, 1936.

and

Whereas, The fishing industry has been the only means of maintenance for this district for a number of years.

and

Whereas, If this industry is forced to cease operations numerous returned men and their dependants will suffer through unemployment.

and

Whereas, Public utility services and schools will be greatly affected by such a move.

Be it resolved that

The Women's Auxiliary to the Sooke Branch No. 54 of the Canadian Legion herewith feel that a grave injustice is being done and respectfully requests the Dominion Government to reconsider this proposal and allow the Fish Traps to continue to operate.

Respectfully submitted,

*President, (Sgd.)* ELSIE I. THORNBUR.

*Secretary, (Sgd.)* AGNES COLLINS.

*Women's Auxiliary to the  
Canadian Legion No. 54. B.E.S.L.  
Sooke, B.C.*

CANADIAN LEGION OF THE BRITISH EMPIRE SERVICE LEAGUE  
SOOKE BRANCH

Sooke, B.C., Monday, Feb. 17/36.

*To the Honourable the Minister of Fisheries, Ottawa, Canada.*

SIR,—We have the honour to submit the following Resolutions:—

Whereas. It is understood that the Department of Fisheries intends to refuse to grant a Fishing licence to the owners of the Sooke Fish Traps after this year.

and

Whereas. The fishing industry at Sooke is the only industry which maintains this Community.

and

Whereas. In the event of this Industry closing down a severe hardship will be imposed on the employees and their dependents by depriving men of a livelihood.

and

Whereas. Twelve Ex-Service men will be affected and five others indirectly affected through such action.

Be it resolved that

Sooke Branch No. 54 Canadian Legion B.E.S.L. now assembled at a Special General Meeting at The Sooke Community Hall at 8 P.M. Monday: Feb. 17, 1936, herewith protests vigorously such action by the Dominion Government and respectfully requests that the said Government earnestly reconsider its proposal in the interest of the residents of Sooke and District.

Respectfully submitted,

P. de J. TAYLOR, *President.* (Sgd)

J. COLLINS, *Secretary.* (Sgd)

*Sooke Branch, No. 54,*

*Canadian Legion, B.E.S.L.*

Feb. 17/36.

*To the Honourable the Minister of Fisheries, at Ottawa.*

SIR,—We beg to submit the following: At a special general meeting of the Sooke Branch of the Women's Auxiliary of Holy Trinity Church which was held on Monday, Feb. 17, 1936, the following resolution was unanimously adopted by the meeting in view of the fact that recent press reports state the Dominion Government intends to cancel the trap net licence at Sooke.

and

Whereas—Sooke is a thriving community depending on the bustiness and employment derived from the Fish Traps as its only industries.

and

Whereas—Such action would create untold hardship among the employees by depriving them of a livelihood and adding a great many to the relief rolls of British Columbia.

and

Whereas—Such action by the Dominion Government would not only affect the employees and their dependents but the community and district as a whole.

Be it resolved

That the Women's Auxiliary of Holy Trinity Church do herewith strongly protest such action by the Dominion Government and asks that the Government reconsider the cancellation of the Trap Net licence at Sooke.

(Sgd) C. THROUP, *Acting Pres.*

(Sgd) E. M. SLACK, *Sec-Treas.*

#### CANADIAN NATIONAL TELEGRAM

RA45 37 2 extra NL

1936 Feb 28 AM 8 09.

Victoria BC Feb 27

MINISTER OF FISHERIES

Ottawa Ont

Exservicemen Victoria and district request you instruct Dept Inspector to proceed to Sooke to hear case of fish trap interests regarding suggested non issue of licence stop Many exservicemen and families entirely dependent on operation

GILL Secretary Zone Council Canadian Legion Victoria.



## THE CLOVER POINT ANGLERS' ASSOCIATION

1482 Dallas Road,

VICTORIA, B.C., 22 Feb., 1936.

To the FISHERIES DEPT.,  
Ottawa.

SIR,—We are very pleased to notice that the Sooke Fish traps will be closed down next year. It will be a boon to many small fishermen who depend upon salmon trolling off Victoria, as well as preserving the fish from gradual extinction in this district.

It is a fact known to old residents, that for many years past, the fish have become less and less, both for commercial and private trollers, hence it is time something drastic was done.

Every endeavour is being made to attract visitors to this part and salmon trolling is big factor in their coming.

Thanking you, I am,

Yours respectfully,

(Sgd) ARTHUR HINDER,  
*Sec.-Treasurer.*

## VICTORIA CHAMBER OF COMMERCE

ARCADE BUILDING

Victoria, British Columbia

March 11, 1936

HON. J. E. MICHAUD,  
Minister of Fisheries,  
Parliament Buildings,  
Ottawa, Canada.

DEAR SIR,—According to reports published in the Victoria press we understand that your Department intends to cancel the licences of the fish traps at Sooke for the year 1937.

The Board of Directors of the Victoria Chamber of Commerce wish to go on record as strongly opposing this move for the following reasons:—

- (a) That it will mean the loss of a valuable industry to the City of Victoria employing about fifty men with an annual payroll of approximately \$57,000.
- (b) That it will mean the loss of a valuable subsidiary industry to the City of Victoria employing about one hundred men, with an annual payroll of approximately \$100,000.
- (c) That it will mean a loss in revenue to the merchants of this City and vicinity of approximately \$200,000 a year.
- (d) That it will mean a loss in revenue to both the Federal and Provincial Governments in taxes, licences, foreshore rights, etc.
- (e) That it will mean that the community of Sooke which relies almost entirely on the fish traps situated there for its livelihood will become without means of support and many of the residents will in all probability become a charge upon the Government.

No doubt the argument has been raised that the fish trap or pound net method of fishing is more destructive than the other methods. From the point of conservation, however, it is interesting to note that over a period of years from 1925 to 1934 inclusive the fish traps accounted for less than 2 per cent of the entire catch of Fraser River sockeye salmon. The traps at Sooke have

been operating almost continuously since 1904 and it is reasonable to suppose that if this method of fishing had been detrimental to the other types that action would have been taken a number of years ago. Fish traps are stationary appliances and consequently do not break up schools of fish or disturb them as other types of gear are apt to do.

For the above reasons, therefore, we sincerely trust that your Department will not carry out their present intention of abolishing the fish trap licences at Sooke in 1937 or in successive years.

Yours very truly,

(Sgd.) GEO. I. WARREN,  
*Managing Secretary.*

THE CANADIAN LEGION OF THE BRITISH EMPIRE  
SERVICE LEAGUE

DISTRICT COUNCIL  
OFFICE OF SECRETARY

625 Courtney Street, Victoria, B.C.

March 13, 1936.

Hon. J. E. MICHAUD, K.C.,  
Minister of Fisheries,  
Ottawa, Ont.

DEAR SIR,—Following my recent wire to yourself requesting that any action proposed to be taken in the cancellation of the licence of the fish traps at Sooke, Vancouver Island, be withheld until such time as the parties interested have had a chance to state their cases, I would advise that at a largely attended meeting of the Canadian Legion in this city on the 10th inst. I was instructed to forward you the following resolution duly moved, seconded and carried:—

That in view of the fact that any suspension of trap fishing at Sooke will involve serious hardship on many ex-service men and their families that this meeting of the Canadian Legion in Victoria, B.C., earnestly requests that the Hon. Minister of Fisheries be requested to withhold any action he may contemplate in the suspension of the licence of these fish traps until such time as the employees and others deeply interested in these traps be enabled to state their case properly to his department. And further, that to attain this purpose the Hon. Minister be requested to instruct J. A. Motherwell, Inspector of Fisheries at Vancouver, to proceed to Sooke and obtain this information.

The meeting sincerely trusts that you will take this action before cancelling the licence of these fish traps as outlined above.

Yours very truly,

(Sgd.) G. A. GILL,  
Secretary,  
Victoria & District Council,  
Canadian Legion, B.E.S.L.

DEPARTMENT OF INDIAN AFFAIRS  
CANADA

OFFICE OF INDIAN AGENT,

DUNCAN, B.C.,

MARCH 20, 1936.

SIR,—I herewith beg to enclose a petition signed by Indians of this Agency who work in the Empire Cannery at Esquimalt and operated by Messrs. J. H. Todd & Sons.

Instructions have been issued by the Fisheries Department at Ottawa that all fish traps in B.C. waters are to be closed after this coming summer. This naturally is going to cause a great deal of hardship among the Indians who are in the habit of working in the cannery every year. I have estimated that last season the Indians earned over \$12,000, both working in the cannery and at the fish traps, and if this regulation comes into force, it will mean that a great deal of extra relief having to be paid out for the Indians of this Agency, as there is absolutely nothing to take its place. I would like therefore to suggest that the Department use its influence with the Fisheries Department with a view of having this rescinded if it is at all possible to do so.

I am also enclosing copy of letter from Assistant Commissioner Mr. Perry on the subject.

Your obedient servant,

Sgd. H. GRAHAM,  
*Indian Agent.*

The Secretary,  
Department of Indian Affairs,  
Ottawa.

We, the undersigned, being Indians of British Columbia, hereby protest against the removal of the fish traps at Sooke, B.C., as it will very seriously interfere with our means of earning a living. Some of us are employed regularly in the operation and maintenance of these traps and the remainder depend very largely on employment in the canneries affected for our livelihood.

Signed by—Miss Harriet Wesley, Miss Mary E. Wesley, Mr. & Mrs. Tom James, Mr. Andy T. Wesley, Jimmy Fraser, Mr. & Mrs. Louie Kamai, Miss Lena Joseph & two children, Miss Edith Joseph, Mrs. E. Mike, Miss E. R. Silver, Mr. R. Albany, Art. Albany, J. Albany, F. Albany, Elsie Kamai, Harry Kamai, Rita Barker, Evelyn Barker, Austin F. Albany, Chief Edward Jo, Mrs. Edward Joe, Alex. X. Peter, Mrs. Alex. X. Peter, Mr. Alexander Thomas, Miss Madeline Thomas, J. A. Cop X, Mrs. James J. James and Son, Mrs. W. G. Scott, Mrs. F. A. George, Christina George, Theresa George, Fraser Joseph, Raymond A. B. George, Mrs. William Roberts, Walter Joseph, Sophia Joseph, D. Fallardean, Josephine Fallardean, Mr. & Mrs. Jack Dick, Robert J. Abraham & Jane Bob, Mrs. Mary George, Jim Johnny X, Bobbie Davis, Julia Alex & 7 children, Elmer George, Roy James, Aggie Sawyer & 6 children, Leo Sawyer, Tom Charles, 1 child, Joseph Charles, 2 children, Lucy Charles, Thomas Charles, Lilie Charles, 1 child, Henry Charles, Hetty Dick, 7 children, Mrs. Agnes Dick, Florence Dick, Clarence Dick, Andrew James, 1 child, Mrs. Andrew James, Miss Mary James, Miss Martha James, Mr. Ben Thomas, Miss Mildred Thomas, Mrs. Josephine Thomas & 1 child, Mrs. M. Moody & 2 children, Mrs. J. Albany.



## THE NORTH SAANICH LIBERAL ASSOCIATION

SIDNEY, B.C.,

APRIL 27, 1936.

The Honourable the MINISTER OF FISHERIES,  
Ottawa, Canada.

Honourable SIR,—Believing that the abolition of Salmon Traps will increase the number of trollers and gill-net fishermen, thereby creating employment and reducing the number of fishermen on Relief.

The North Saanich Liberal Association wishes to endorse the action of the Federal Government in abolishing the Salmon Traps.

This Association would also recommend that Purse Seine Licences be also cancelled, as the Purse Seine is practically a portable Salmon Trap.

This Association believes these actions in the best interests of the majority of the people.

Very truly yours,

JOSEPH H. NUNN,  
*Secretary.*

## KYUQUOT TROLLERS CO-OPERATIVE ASSOCIATION

BASTION BUILDING, 1124 GOVERNMENT STREET,  
VICTORIA, B.C., December 17, 1936.

The Honourable J. E. MICHAUD,  
Minister of Fisheries,  
Ottawa, Ont.

Dear SIR,—At the Annual General Meeting held Dec. 8 in Port Alberni, B.C., following resolutions were passed by this Association, having at present 288 members consisting of individual fishermen owning their own boats and gear.

Resolution *re* Salmon Traps:—

Whereas the salmon traps are the most destructive fishing gear in use, by intercepting the entire shoal of salmon, not ensuring a proper escapement for spawning, and by destroying immature and yearling salmon, bottom fish and any species of fish that may run foul of their leads, and

Whereas a trap licence is an exclusive privilege to fish a certain location, and

Whereas other types of gear are licensed to fish in waters open to all, and with frequent closed periods for conservatory purposes, and

Whereas the district of Sooke where the only traps in B.C. now are located would afford ideal fishing grounds for Seiners thus increasing employment, and

Whereas all Puget Sound Washington traps are now eliminated.

Be it therefore resolved that all salmon traps be completely eliminated.

Resolved that the Minister of Fisheries be requested not to remove fishing boundaries established for Japanese fishermen, as the adjoining areas on which the members of this association and Indians are fishing are already crowded, the average gross earnings per boat for the period Feb. 1 to August 31, 1936, being \$800.

Resolved that the members are opposed to any further issuance of licences to Japanese fishermen for the purpose of putting two licensed men on each boat, while white fishermen handle the same type of boat alone in order to make an existence.

Resolved that inside fishing for spring salmon on the west coast of Vancouver Island be closed from September 20 to January 1.

We should appreciate very much if you would give these resolutions your kind consideration.

(Sgd.) T. C. E. BEYER.

## CANADIAN PACIFIC TELEGRAPHS

VANCOUVER BC Jan 26th, 37.

Hon. J. E. MICHAUD,  
Minister of Fisheries, Parliament Bldgs.,  
Ottawa, Ont.

Press reports here signify government intends to issue trap licences again this year in BC Stop By this wire we strongly protest such action and fully support the Neill Reid resolution on same Stop Please convey our protest to Fisheries Committee now making investigation.

## SALMON PURSE SEINERS UNION

GEORGE MILLER, Business Agent,  
PACIFIC COAST FISHERMEN'S UNION, B.C. SECTION,

*John Gavin, Sec'y-Treas.*

## CANADIAN NATIONAL TELEGRAMS

MOA 113 84 1/60

1937 Jan 27 PM 2 21

VICTORIA BC 27 1048A

Honourable J E MICHAUD  
Minister of Fisheries Ottawa Ont

Beg to inform you Empire Cannery near Victoria will not operate unless we have salmon trap licences Stop Can also say and assure you statements made about destructiveness of salmon traps in catching large quantities of immature salmon quite incorrect and can be substantiated by your fishery officers Stop Also seines and gill nets have not been successful and it must not be overlooked fully sixty per cent of salmon passing Sooke have been intercepted in passing through American waters before again reaching Canadian waters

J H TODD AND SONS LTD.

## CANADIAN NATIONAL TELEGRAM

MOA 160 190 DL 1 EXTRA 1/50

VICTORIA BC 27 1150A

Hon J E Michaud  
Minister of Fisheries Ottawa Ont

We of Sooke community wish to thank you for the thought and consideration you have given to our very serious problem brought about by men without any real knowledge of conditions and who have never visited even the district Stop This community of about five hundred people and of which a known three hundred are dependent upon the operation of the salmon traps resent that men in Parliament however sincere they may be would resort to unfounded allegations that cannot be substantiated by fact and would only tend to mislead those who might be dependent on them for information Stop As can be confirmed by your Biological Department there are no immature fish in our district and as can be confirmed by your inspectors and guardians we take no immature fish why allow such unfounded criticism Stop There are no spring or sockeye spawning streams within fifty miles of Sooke and only minor dog salmon streams and cannot understand unchallenged inferences that traps are allowed mouth of Fraser Stop Your actions highly appreciated here and sincerely trust our Government may long have the benefit of your integrity and judgment

Sooke Community Association Fred Brownsey Secretary.

## CANADIAN NATIONAL TELEGRAM

11MOFE 41 NL VIA

VICTORIA BC

Sooke BC 28 Jan 1937

Hon MINISTER OF FISHERIES

House of Commons Ottawa Ont

On behalf of the Sooke Branch Canadian Legion may I express our appreciation and thanks to you for your efforts in connection with the continuation of the Sooke fishing industry thus giving our returned men renewed hope and security in employment.

P W de TAYLOR President

228AM

(Copy)

VICTORIA BC

Feb 4 1937

Hon J E MICHAUD

Minister of Fisheries Ottawa Ont

Necessary respectfully submit and call your attention to inaccuracy trap catch report in hansard January twenty fifth and page two fifty eight Stop Catch of springs is reported as fifty four thousand which is about four times actual catch which was sixteen thousand six hundred Stop This inaccurate report is of course unfortunate particularly at this present time and the correction of the inaccuracy should be given quite as much publicity

J H TODD AND SONS LTD.

## DEPARTMENT OF FISHERIES

*Via Air Mail*

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., February 3, 1937.

DEAR SIR,—Messrs. Todd and Sons have called the attention of the writer to a statement recently made in the House of Commons to the effect that some 54,000 spring salmon were caught in the traps operating near Sooke during 1936. On checking this statement I find that the statistical officer at this office has made an error, as explained in the enclosed memorandum.

This, of course, is most regrettable occurrence, particularly under the special circumstances. It is observed that the proper total is 16,313 springs.

I am, Sir,

Your obedient servant,

(Sgd.) J. A. MOTHERWELL,  
Chief Supervisor of Fisheries.

Dr. W. A. FOUND,  
Deputy Minister of Fisheries,  
Dept. of Fisheries,  
Ottawa, Ont.



(Copy)

40-3-9-1

February 3rd—1937.

*Memo: Chief Supervisor*

In reference to the statement, covering the catch of salmon by various species in traps, 1936, it is regretted that an error was made in the case of Spring salmon.

The details were compiled on the adding machine and in the case of Sockeye the Sub-total key was used instead of the Total. The Sockeye total was therefore carried forward and included in the Springs which were next dealt with, making Springs too many by that number.

The following statement gives the corrected figures:—

## TRAP NET CATCHES—1936

	By Todds	By Sooke Hbr. Tshg. & Pkg.	Totals
Sockeye.. . . . .	37,997	6,359	44,356
Springs.. . . . .	8,060	8,253	16,313
B'back.. . . . .	27	336	363
Steel'h'd.. . . . .	360	699	1,059
Cohoe.. . . . .	25,776	10,615	36,391
Pinks.. . . . .	2	....	2
Chums.. . . . .	4,189	560	4,749
Totals.. . . . .	<hr/> 76,411	<hr/> 26,822	<hr/> 103,233

7 licences issued—4 traps operated.

L. G. S.

## APPENDIX No. 3

(COPY)

THE MINISTER OF FISHERIES

OTTAWA, February 2, 1931.

*Submitted by Mr. Neill.*

DEAR MR. NEILL,—You have my cordial thanks for your letter of the 7th ultimo in which you explain your apprehension as to what would be the result of an extension of trap-net fishing in British Columbia.

You may be quite sure that no such important change in the fisheries policy would be made until I had become quite satisfied that such would be in the public interest.

Faithfully yours,

SGD. EDGAR N. RHODES.

A. W. Neill, Esq., M.P.,  
Alberni, B.C.

(Copy/TED)

NORTH VANCOUVER HIGH SCHOOL,  
North Vancouver, B.C.,  
December 11, 1934.

DR. WILLIAM A. FOUND,  
Deputy Minister of Fisheries,  
Ottawa, Ontario, Canada.

DEAR SIR,—In response to your request concerning the attitude of the B.C. Trollers Association to the suggested amendments to the Fisheries Act I am sending you this tabulation of the findings of our annual meeting held in Nanaimo, November 15, 16, and 17. For the purpose of clarity I will refer to the proposals of the Department by number and state as concisely as possible the B.C. Trollers Association's resolutions and in some cases will expand the resolutions with reasons.

*Attitude of B. C. Trollers to proposed Fisheries Amendments.*

11. Moved that since the original excuse for having traps at Sooke is disappearing with the abolition of American traps that the traps in B. C. be abolished.

Sincerely yours,

Sgd. E. R. CHAMBERLAIN,  
*Secy. B. C. Trollers Association.*

(Copy/TED)

Sub, P.O. No. 1  
 PRINCE RUPERT, B.C.  
 January 3rd 1935.

DR. WILLIAM A. FOUND,  
 Deputy Minister of Fisheries,  
 Ottawa, Ontario.

DEAR SIR,—At the annual general meeting of the Northern B.C. Fishermens Association, the following resolutions were passed:

1. "That the Fishery Department be requested to discontinue the issuance of Fish Trap licences in the Strait of Juan de Fuca."
2. That the Fishery Department be asked to patrol the coast and enforce the law covering the use of harbors in B. C. by foreign vessels.

*Reason No. 1*

The association felt, that as the State of Washington had discontinued the use of traps in the fishing industry there was no excuse for traps on the B. C. side of the Strait.

*Reason No. 2*

Some of our members stated at the meeting, that since the patrol has slackened off, the use of B. C. harbors by foreign vessels is being abused, to the extent of congestion in some instances.

- (3) "That the bounty be restored on Hair Seals and a bounty, or some method of destruction, be employed on Sea Lions."

*Reason*

There were several complaints to the meeting that Hair Seal and Sea Lions were increasing.

The meeting also passed a resolution in favor of giving Canadian born citizens of oriental origin the franchise.

Yours truly,

NORTHERN B. C. FISHERMENS ASSN.,  
 J. ROBERTS, *Secretary*.

(Copy)

FISHERMEN & CANNERY WORKERS LTD. UNION OF CANADA  
 305 CAMBIE STREET, VANCOUVER, B.C.

March 19, 1935.

DEPARTMENT OF FISHERIES,  
 Victoria, B. C.

*Re—Abolition of Fish Traps*

DEAR SIR,—The following resolution was unanimously adopted by the National Convention of the Fishermen & Cannery Workers Industrial Union of Canada on 15th-16th ultimo, *re* abolition of fish traps in all Dominion waters.

Sgd. F. F. KINCHARJA,  
*Sec'y.-Treasurer.*

*Resolved*,—That this Convention send a resolution to the Dominion and Provincial Government demanding that all fish traps in all Canadian waters be abolished, as they deprive many fishermen and their families out of a living. That they destroy large numbers of fish and break up the schools and traps large numbers of small fish that are not marketable.



(COPY)

"RAEDEAN" METCHOSIN, R.R. 1

VICTORIA, B.C.

May 25th 1935

Mr. J. A. MOTHERWELL,  
Supervisor of Fisheries,  
Winch Building,  
Vancouver, B.C.

DEAR SIR,—Mr. W. R. Gray, Secretary of the B.C. Protective Association, has suggested that I should write to you in reference to the salmon traps at Sooke, owned by Mr. Todd.

These traps are depriving many fishermen, to the east of them, of a living & as a result these men are now receiving relief.

I should be glad if you would furnish me with particulars of the granting of the lease to Mr. Todd by the government.

I understand that the American traps on the other side of the Straits have been closed down.

I am bringing this matter before our Conservative Association and Mr. Dickie will be asked to take some action, if necessary.

Yours truly,

(Sgd.) R. S. JOHNSON

## HOUSE OF COMMONS

CANADA

OTTAWA, June 20th 1935.

W. A. FOUND, Esq.,  
Deputy Minister of Fisheries,  
Ottawa, Canada.

DEAR MR. FOUND,—I am enclosing herewith a file which you will most kindly return to me after having considered the subject matter dealt with.

While I would not think it advisable that Mr. Todd should be asked to close his fish traps, it would seem from the tenor of the letters I am sending you that there are perhaps usages that are not quite in accordance with the regulations of your department. One clause suggests that an Inspector appointed by the fishermen should accompany a Government Inspector: this would seem a reasonable suggestion. The aprons of the traps do not seem to fulfill the requirements expected of them. Mr. Todd has a very valuable concession and if the suggestion that the end section of lead be placed on pulleys and raised for two days in the week is a good one it might be well worth considering by the Department.

Mr. Todd in the past has been very fairly treated and perhaps a few concessions granted by him would disarm the criticism as set forth in the enclosed file.

Would you kindly furnish me with material in order that I may be able to answer the communication intelligently? In the meantime, thanking you for what I know will be your kindly consideration of the matter, I am,

Yours sincerely,

(Sgd.) C. H. DICKIE.

(COPY)

## METCHOSIN CONSERVATIVE ASSOCIATION

R.R. 1 VICTORIA, B.C.

June 16th 1935.

C. H. DICKIE, M.P.,  
Duncan, B.C.

*Ref. Salmon Traps Owned by Mr. Todd*

DEAR SIR,—It has been brought to the notice of this association by men who, in the past have earned a living by salmon fishing in the waters to the eastward of Sooke that they have been deprived of this method of earning a livelihood, due probably entirely, to the existence of traps owned by Mr. Todd and situated in the vicinity of Sooke.

The B.C. Fishermen's Protective Association has been approached by one of our executive (See letter dated May 17 and reply of May 22nd) See also letter of May 25th to Mr. L. A. Motherwell, Supervisor of Fisheries, and his reply of May 29th. You will note that although "particulars of the granting of lease to Mr. Todd was asked for this has not been given.

We are given to understand that the traps should not be operated during thirty-six hours of each week; this we understand is not strictly adhered to. The obnoxious part being, we are led to understand that, the Government Inspector hesitates to enforce the observance of conditions as it might jeopardize his post.

It appears that traps on the American side of the Straits have not been in operation this year. Yet Mr. Todd is allowed to operate. This appears to be hardly in keeping with debates which took place in the House at Ottawa, when exception was taken to the great destruction of salmon on the American side. Paragraph No. 6 of Mr. Motherwell's letter states "It was considered by the Department as only fair that the Canadian operators should be given an opportunity of obtaining a larger percentage of the salmon runs".

This has been effected by giving Mr. Todd the privilege of making big profits, to the detriment of local line fishermen who, in some cases are now being supported by taxpayers' money. This does not sound in keeping with fair play—or Mr. Bennett's new policy.

We would suggest that Mr. Todd suspend operation of traps, so that a greater number may benefit, as he possesses an unfair privilege. Failing to obtain that: That an Inspector should be nominated by the fishermen and should accompany the Government Inspector, to see that conditions are observed.

Also, the only way to assure fish passing traps, when not in operation, is to have the end section of the lead on pulleys. The apron in front of traps holds back fish until same is raised for next catch. Further we might mention that the existence of this lead, whether the trap is in operation or not, deflects the fish to the American waters. Therefore we consider that the leads should be dismantled.

We are also enclosing an unsigned statement which was handed to one of our members by a fisherman who a few years ago made a comfortable living by fishing in Rocky Point waters.

We are fully aware that great numbers of fish are caught by purse seines operated in Puget Sound waters, but do not consider this in any way justifies the almost complete stoppage of fish along a coast, and the cutting off of line fishermen's means of livelihood, in order that one person or firm may compete.

We trust that you will be able to give this matter your attention.

Yours very sincerely,

(Sgd.) E. L. JOHNSON,

*Secretary-Treasurer*

*Metchosin Conservative Association.*

NEW WESTMINSTER, B.C., May 22nd 1935.

R. S. JOHNSON Esq  
Metchosin R. R. 1  
Victoria, B. C.

Dear Sir:—Received your letter of the 17th instant re the traps at Sooke, owned by Mr. Todd.

A few years ago we fought hard to have these traps removed, but were informed by the government that Mr. Todd had received a lease on the trap site to compete with the American traps. I feel quite sure that now the American traps are out, that if this matter were gone into, it would be possible to have these traps removed, the American traps being voted out last year, so Mr. Todd is merely competing with himself.

I really have not the time to go into this matter at present Mr. Johnson, as we are having considerable trouble fixing prices for salmon this year. If you will get in touch with Mr. J. A. Motherwell, Supervisor of Fisheries at the Winch Building, Vancouver, B. C. you will get all the government particulars on these traps, I will be only too pleased to go into this matter thoroughly after, the price of salmon has been set for the season.

With kind personal regards, I remain,

(Sgd.) W. R. GRAY (*Prov. Govt.*)

#### KYUQUOT TROLLERS CO-OPERATIVE ASS'N

KYUQUOT (V.L.) B.C.

June 14th 1935.

To the Hon. GROTE STERLING,  
Minister of Fisheries,  
Ottawa, Canada.

Whereas the salmon traps are most destructive types of fishing gear: by intercepting the entire schools of salmon not insuring a proper escapement for spawning, and by and by destroying countless immature and yearling salmon, bottom fish and other species of fish that may run foul of their leads.

Whereas a trap licence is an exclusive privilege to fish a certain location seven days a week twenty four hours a day.

Whereas other types of gear are licensed to fish in waters open to all, and with frequent closed periods for conservation purposes.

Whereas that in order to perpetuate the runs of salmon and eliminate the serious menace to yearly salmon and increase employment of fishermen.

And Whereas all Puget Sound, Washington, traps are now eliminated.

Be it Therefore Resolved that salmon traps be completely eliminated in B. C.

THE KYUQUOT TROLLERS CO-OPERATIVE ASS'N.

(Sgd.) HARRY STAFFORD,

*Secretary.*



## HOUSE OF COMMONS

CANADA

DUNCAN, B.C.

July 21st 1935.

DEPUTY MINISTER OF FISHERIES,  
Ottawa, Canada.

Dear Mr. FOUND;—Yesterday I was met by a delegation of two gentlemen from Sooke, Messrs E. S. Johnson and Capt G. T. Whitla and I was fully convinced that irregularities prevailed at Todd's traps and I would respectfully request that Captain Whitla be appointed Honorary Guardian to the interest of the fishermen at that point and it is their wish that this be done.

Your Inspector at the traps is a part time employee of the Todd's and you can understand how his sympathies are.

The feeling is intense among the fishermen but I was informed that if Witla was appointed and if end section of lead—see note herewith—be on pulley 1 section to be rolled up so that fishermen could see that fish were not entering traps during close hours, matters would proceed smoothly. Also the Todds who have a most valuable concession should not be permitted to sell fish in Victoria in competition with other fishermen.

If you will kindly take up this matter with the Minister and assure him that I am absolutely convinced that what I am requesting is fully justified I feel that favorable consideration will be accorded.

Yours sincerely,

(Sgd.) C. H. DICKIE.

*The matter is urgent.*

## DEPARTMENT OF FISHERIES

VANCOUVER, B. C., Sept. 3rd 1935.

Dear Sir;—Regarding the Department's letter of the 27th July last, with reference to the salmon traps on the southwest coast of Vancouver Island, I would advise as follows with particular reference to the penultimate paragraph of the Department's letter.

It is true that Patrolman Wilson has been employed during the early spring months, in recent years, by the Sooke Harbor Company in assisting to tar and prepare trap web. Practically all of the local residents are given employment each spring by this company and as there has been no other employment available, Mr. Wilson has found it necessary to take advantage of such additional work to support his family. This patrolman is thoroughly conscientious and there has never been any indication that his actions while on duty for the Department have been swayed in consideration of the temporary laboring work he has obtained from the company.

Up to two seasons ago, the patrol boat used each season in the Sooke area has been chartered from the Sooke Harbor Company which owned the boat "M. E. Smith." This did not seem to be a desirable situation so the arrangement was terminated last year. The boat owned by Inspector Scott is now being used, with Patrolman Wilson in charge, but frequent trips are made by the Inspector himself for the purpose of supervision of trap operations and other fishing activities in this area.

I am, Sir,

Your obedient servant,

(Sgd.) J. A. MOTHERWELL,

Chief Supervisor of Fisheries.

Wm A. Found,

Deputy Minister of Fisheries,

Department of Fisheries, Ottawa.

DECEMBER 26, 1935.

SIR,—I wish to revert to the Department's letter of June 22nd last and your reply of July 18th regarding measures required at present to make salmon trap-nets inoperative during the weekly close time.

The criticism made, you will recall, is that unless there is provision for an opening in the lead itself close to the heart, there is really not uninterrupted passage for the fish during the close time in as much as there is tendency for them to reach the apron device and in their inability to find a way around the outside of the trap are held up only to be caught when the apron is lifted at the end of the closure. The characteristics of salmon during migration are such there would seem to be good grounds for believing the condition complained of may very well exist and, if it does, obviously the intent of the regulation is not being accomplished and action should be taken as far as possible to see that it is.

You will kindly forward your report and recommendation in the premises without avoidable delay. It is desirable this matter should receive attention along with other suggested changes in the regulations to be dealt with shortly.

I am, Sir,

Your Obedient Servant,

WM. A. FOUND,  
*Deputy Minister.*

Major J. A. Motherwell,  
Chief Supervisor of Fisheries,  
Winch Building, Vancouver,  
British Columbia.

(Copy/Ted)

DEPARTMENT OF FISHERIES  
WINCH BUILDING

VANCOUVER, B.C., 10th, 1936.

File No. 10-3-12-1

*Department's File No. 721-4-6*

Dear SIR,—I would refer to the Department's letter of the 26th ultimo regarding the criticism of the salmon trap operations in the Juan de Fuca Straits area.

The writer feels that the difficulties of the salmon, described by the Department's informant, are more imaginary than actual and do not take into account the instincts of the fish and the movement of the strong tides in the area under discussion.

A precis of a report received from Supervisor Tait in this connection reads as follows:

"It is quite evident that salmon during migration come in mainly on the flood tide and strike in on the trap leads during the hours of the flood. When they reach the obstruction they swim along the lead at an outward angle and if the apron of the trap entrance is down, many fish actually pass around the whole trap structure during the flood. Those which do not pass during the flood tide will go back from the obstruction on the ebb and will naturally gravitate seaward and pass beyond and well clear of the trap during the next flood. Those who have been in a position to observe the salmon movements closely over extended periods, assure me that the schools very seldom come back against the lead twice in succession. It seems to be the nature of the salmon to pass to seaward after they have once found an obstruction extending from the shore. It

seems therefore that the fish which are excluded from the trap by the apron during the weekly closed periods will not remain for any time behind the structure, and would not circle back shoreward and lead out again to become entrapped.

" . . . . the operators contend that if compelled to provide this, the structure of the trap would be dangerously weakened, especially where strong tides and rough weather conditions are to be contended with, as in the Sooke area."

As a matter of fact, there is fair possibility of this matter rectifying itself in the near future as there is probability of traps being discontinued in Canadian waters. Under the circumstances, there appears to be no reason for any action at the present time.

Your truly,

(Sgd.) J. A. MOTHERWELL,  
*Chief Supervisor of Fisheries.*

Dr. W. A. Found,  
Deputy Minister of Fisheries,  
Ottawa, Ont.

*Copy*

DEPARTMENT OF FISHERIES  
WINCH BUILDING

File No. 10-5-1.

VANCOUVER, B.C., Jan. 13, 1936.

Department's File No. 721-4-6.

DEAR SIR,—Enclosed herewith please find list of suggestions made for amendments to the commercial Fishery Regulations and forwarded to the industry under date of October 22 last. The several items contained therein are commented on as follows:—

3. That in view of the fact that American traps have been abolished, all traps and trap nets in British Columbia waters be abolished.

It is a fact that last year all the salmon traps were prohibited in Puget Sound waters and it is understood that the same conditions will obtain during the season 1936. It is also a fact that a further initiative has been adequately signed in the State of Washington with a view to abolishing all salmon purse seines as well in Puget Sound waters. This initiative comes up for attention at the next session of the State legislature, which would preclude, of course, any action being taken affecting the 1936 operations.

It has been suggested that there is possibility of the second initiative becoming law and in that case, and in view of the fact that a reasonable proportion of the runs to Puget Sound could not then be taken by gillnets and trols, some arrangement would undoubtedly be made whereby either the traps or seines, or both, would be again permitted. This of course is only conjecture and is offered for what it is worth.

As the Department is aware, the only place where traps are operated in British Columbia is on the southwest coast of Vancouver Island for the purpose of intercepting the salmon runs proceeding to the Fraser River, which largely pass through the waters of Puget Sound on the way to the Fraser and in doing so have in the past run the gauntlet of hundreds of traps and seines, besides gillnets, on the American side.

The fact that the traps and seines were permitted in the State of Washington for the purpose of intercepting the Fraser run, and that neither of these varieties



was permitted in District No. 1, certainly justified the operation of the traps for the purpose of intercepting the run before passing into American waters. The present situation, however, is that the traps have been taken out of Puget Sound waters and purse seines permitted between the Fraser River and the International Boundary and this fact would seem to remove the reasons which justified the traps on the southwest coast of Vancouver Island, to a very large extent. The fishermen of course feel that the Department would not be keeping faith with them if the traps on the Canadian side are to be continued, notwithstanding the fact that several hundred seiners still operate in Puget Sound on the runs of salmon proceeding to the Fraser River and obtain these fish in American waters in the very best of condition.

Another argument for the traps in Canadian waters in the past has been the fact that the operators in Puget Sound obtained from seventy to seventy-five per cent of the runs of fish proceeding to the Fraser River, compared to the twenty-five or thirty per cent caught by Canadian operators.

During the season 1935, however, the percentages were fairly even and it is possible that the elimination of the traps in Puget Sound waters may have been the chief factor in this situation.

The catch of sockeye by the Canadian traps this year represents approximately five per cent of the catch made by the fishing gear in Puget Sound and in the Fraser River district combined.

It would seem hardly reasonable, however, to dispense with the traps on the Canadian side without first having given the owners at least one year's notice in order that the equipment used in the construction of the traps and the investment represented thereby might be used up.

Yours truly,

(Sgd.) J. A. MOTHERWELL,  
*Chief Supervisor of Fisheries.*

Dr. Wm. A. FOUND,  
Deputy Minister of Fisheries,  
Ottawa.

January 24, 1936.

716-16-1

DEAR MR. PEARSON,—This Department is very much obliged to you for your letter of the 17th instant, in which you give your views with regard to the continuation of licences for salmon traps on a portion of the southwestern coast of Vancouver Island.

The matter is at the moment receiving consideration, and I am placing your views before my Minister and shall be glad to inform you as to the action that will be taken as soon as a decision is reached thereon.

Yours truly,

WM. A. FOUND,  
*Deputy Minister.*

Honourable GEORGE S. PEARSON,  
Commissioner of Fisheries,  
Victoria, B.C.

(Copy)

7th February, 1936.

Dear Mr. NEILL,—I wish to revert to your letter of June 25th last, endorsing petition by the Kyuquot Trollers Co-operative Association, urging that licences for salmon trap-nets in the portion of the southwest coast of Vancouver Island be discontinued.

The question has been receiving careful consideration and, in the light of all the circumstances, it has been decided to continue such licences for 1936. Notification is being given the licensees, however, that thereafter such licences will not be granted. If trap-nets are reintroduced in the State of Washington, the question of reallowing them in the above area will again be considered.

Yours very truly,

(Sgd.) WM. A. FOUND,  
*Deputy Minister.*

A. W. Neill, Esq., M.P.,  
House of Commons,  
Ottawa.

7th February, 1936.

SIR,—I wish to revert to the representations of your Association at the meeting I attended in New Westminster in December last, urging that the licences for salmon trap-nets on the portion of the southwest coast of Vancouver Island, where they have been permitted, be discontinued.

In the light of all the circumstances, it has been decided to continue such licences for 1936. Notification is being given the licensees, however, that thereafter such licences will not issue. If trap-nets are reintroduced in the State of Washington, the question of reallowing them in British Columbia will again be considered.

I am, sir,

Your obedient servant,

WM. A. FOUND,  
*Deputy Minister.*

W. R. Gray, Esq.,  
Secretary, British Columbia Fishermen's Protective Association,  
New Westminster, B.C.

7th February, 1936.

SIR,—I wish to revert to the representations of your Association last year that licences for salmon trap-nets on the portion of the southwest coast of Vancouver Island be discontinued.

The matter has received careful consideration, and, in the light of all the circumstances, it has been decided that such licences will continue for 1936. Notification is being given the licensees, however, that such licenses will not be issued thereafter. If trap-nets are reintroduced in the State of Washington, the question of reallowing them in the above area will again be considered.

I am, sir,

Your obedient servant,

WM. A. FOUND,  
*Deputy Minister.*

The Secretary,  
Kyuquot Trollers Co-operative Association,  
Kyuquot, B.C.

7th February, 1936.

GENTLEMEN,—I wish to revert to the representations made to me when in Vancouver in December last urging licences for salmon trap-nets in the portion of the southwest coast of Vancouver Island be discontinued.

The whole question has been receiving careful consideration, and in the light of all the circumstances, it has been decided that such licences shall continue for 1936. Notification is being given to the licensees, however, that thereafter such licences will not be granted. If trap-nets are reintroduced in the waters of the State of Washington, the question of reallowing them in the above area will be again considered.

I am, gentlemen,

Your obedient servant,

WM. A. FOUND,  
*Deputy Minister.*

Fishing Vessels Owners Ass'n of British Columbia,  
Vancouver, B.C.

7th February, 1936.

SIR,—In reply to your letter of the 16th ultimo regarding renewal of salmon trap-net licences for the southwest coast of Vancouver Island, I would advise it has been decided that such licences for 1936 may be continued but that notification is to be given to the licensees that thereafter such licences will not issue.

I may add that if trap nets are reintroduced in the State of Washington, the question of reallowing them in British Columbia will again be considered.

You will kindly arrange accordingly.

I am, sir, your obedient servant,

WM. A. FOUND,  
*Deputy Minister.*

Chief Supervisor of Fisheries,  
Winch Building, Vancouver, B.C.

February 12, 1936.

GENTLEMEN,—Your telegram of last night, in which you quote an item that appeared in your morning paper to the effect that it has been decided that while licences for salmon traps in the Sooke area, Vancouver Island, will be continued for the present year, they will not be granted in the future, is before me.

The item would have been correct if there had been added to it a statement to the effect that should the use of trap-nets be again allowed on the State of Washington side, reconsideration would be given to the continuing of licences for traps in the Sooke area.

Your company may rest assured that the above decision was reached only after carefully weighing all factors in connection with the matter. It is realized that the sockeye that enter Juan de Fuca Strait on their way to the Fraser River to reproduce, do so on both sides of the line, and that by far the major portion of those that come along the Canadian side, pass over to the United States side about the southwestern portion of Vancouver Island and do not emerge from United States waters until they reach the boundary line in the vicinity of Points Roberts, and are thus available to the United States fishermen to the extent to which they can catch them, before they again reach Canadian waters. On the other hand, trap-nets have been removed from the



United States side. Presumably it was due to this that our proportion of the catch of sockeyes in the Fraser River area has this year been very much larger than in past years. It appears that the removal of the traps has made it impossible for the United States purse-seiners to be as effective as they were when the traps were in operation, as they were allowed to fish right up to the traps. It is also a fact that not only the Fraser River fishermen, but all the other salmon fishermen's associations in the province, oppose the continuance of traps in the Sooke area or anywhere in British Columbia.

Messrs. J. H. Todd & Son, Ltd.,  
Victoria, B.C.

There is the further very strong argument that the continuance of traps on our side will operate as an incentive for rescinding the prohibition of traps in Washington State.

In the light of these conditions, the urge was very strong that trap licences should not be renewed by my Department for the present year, but in view of the investment in these traps and the preparations that had already been made for their operation for the coming season, it was finally decided that in the public interest the traps should be discontinued, but that they should be allowed for the present year so that fair notice would be given the owners and operators thereof, and as above indicated, it was stipulated that should traps be reintroduced on the United States side, their prohibition in the Sooke area would be reconsidered. I am advised that the Chief Supervisor of Fisheries, through whom your applications for trap licences were submitted, was instructed accordingly and requested so to inform you.

Faithfully yours,

J. E. MICHAUD,  
*Minister.*

PROSPECT LAKE P.O.,  
Saanich, B.C.,  
February 26th, 1936.

Rt. Hon. W. L. MACKENZIE KING,  
Prime Minister.

DEAR SIR,—I see the authorities here in Victoria are protesting against your action in refusing licences to operate Fishing Traps. I think it is the best thing that could happen. They say there are about two hundred employed at Sooke working the traps. I do not think there are as many as that, or half that number, however if there are two hundred employed now and they close the trapping, there will be two or three thousand employed at ordinary fishing. These fish were not put in the sea for one man or a company to take out tens of thousands each day. All the fish traps in the U.S.A. and Canada should be done away with as soon as possible, then instead of thousands being employed in fishing there would be hundreds of thousands, and these fishermen would form a Reserve for the Navy, the same as the old country. It may be necessary to alter the regulations as regards purse seine and gill nets fishing.

The regulations should be so framed that it will only allow the smallest number of fish to be taken each day, just sufficient to allow a family to make a decent living.

The smaller the outfit, the greater the number of people will be employed. There should be no big companies allowed to fish.

Yours truly,

(Sgd.) F. C. CORRY.

6th March, 1936.

MINISTER OF NATIONAL DEFENCE.

*Re: Fish Traps at Sooke*

My dear COLLEAGUE,—I enclose herewith, copy of letter received to-day from the Secretary B.C. Command, B.E.S.L.

Anything that can be done to assist in this matter will be appreciated.

Yours very truly,

(Sgd.) IAN MACKENZIE.

The Honourable J. E. MICHAUD, K.C., P.C., M.P.,  
Minister of Fisheries,  
Ottawa.

ROCKY POINT HOUSE, R.R. 1,  
VICTORIA, B.C.  
12. 3. 36.

Dear Mr. FOUND,—I have been informed that the method employed by the Americans to close their traps for the 48-hour period each week is to have the tunnel from the Pot to the Spiller hung up and one side of the Pot lowered, this appears a very simple method of allowing the Salmon to escape.

Would it not be possible to use this system with the Sooke traps. I consider the apron very unsatisfactory as it only holds the salmon back for the closed period and when raised then all enter the trap.

I have also been informed that many residents of Victoria fear that if the traps are removed next year it will only mean an increase in the number of seine boats which as you know are much worse. Can you give any guarantee that this will not occur.

Yours very truly,

(Sgd.) I. T. WHITLA.

ROCKY POINT HOUSE, R.R. 1,  
Victoria, B.C., 12. 3. 36.

DEAR MR. FOUND,—I hope on your return to Ottawa last autumn you received my report on the Sooke Fish Traps which I requested Mr. Dickie to forward. I hope the Dominion Govt. will not reconsider their intention of closing these traps next year. We can hardly expect the American Govt. to keep their traps closed unless the Canadian Govt. does the same.

The Victoria Chamber of Commerce and other organizations have been, to my surprise, holding meetings and recommending that the traps remain open, in my opinion the strong financial interests are solely the cause of this agitation. It is quite understood that by the traps closing, a few men at Sooke will probably have to earn their living by other means, but it will enable hundreds of men who formerly fished with gas boats or row boats to again resume their former occupation with the prospect of earning a living. The Sooke traps may only catch 2% of the entire B. C. Salmon catch but these fish are caught from those that keep inshore, which if allowed to pass would be an added attraction to the tourist who under present conditions is finding it more difficult each year to obtain a good day's sport. One would have thought that Victoria, which spends large sums to attract the tourist would have supported the movement to have the traps closed.

It would be interesting to know how Victoria benefits, approximately \$100,000 a year (see attached article).

The cannery at Esquimalt is only open for a few months each year and even if the tins and labels are purchased in Victoria it's only a very small item. The few men employed at Sooke may purchase some of their groceries, etc., in Victoria but this would also be a small item.

In my opinion Victoria would benefit far more by the traps being closed. There would be less unemployment, more tourists and sportsmen, also settlers. Machine shops would benefit by repairs to gas boat engines, boat builders would also benefit besides which there would be hundreds more men with money to purchase the necessities of life.

Yours very truly,

(Sgd.) I. T. WHITLA,  
*Dominion Fisheries Service Canada*  
(Hon.) Inspector.

HOUSE OF COMMONS  
CANADA

OTTAWA, April 1st, 1936.

HONOURABLE J. E. MICHAUD,  
Minister of Fisheries,  
Ottawa, Ontario.

DEAR MR. MICHAUD,—I thank you for your letter of March 28th with a review therein of the fishing conditions in regard to trap-nets in the Sooke area.

Your letter apparently places the matter of trap-net fishing in reasonable way but to close our fishing at this point after so many years in which homes have been created and a living made for so many workmen, I think, a longer time should be given and at least one year's extension allowed if the future shows that all trap-net fishing is to be eliminated. I do, however, thank you for the consideration and thought you are giving this matter and I would openly suggest that at the first possible opportunity you visit the Pacific Coast and stay at least two months inquiring and having a complete investigation into all conditions concerning fisheries in that area. Might I suggest to you that over 50% of all the fisheries of the Dominion are on the Pacific Coast and that a thorough and complete inspection has never taken place by any Minister of Fisheries to the extent that they could thoroughly understand the difficulties and widespread area of the fisheries of the Pacific. I think your presence would be better than any Commission which might be appointed as you could judge fairly between all the interests concerned and as you are in an impartial position could render the best services for the good of all concerned.

Might I ask your further thought in reference to such a visit, which I am sure would be very popular and welcomed by all the fishing interests.

Yours faithfully,

(Sgd.) D. B. PLUNKETT.

ROCKY POINT HOUSE, R.R. 1,  
VICTORIA, B.C., 2-4-36.

DEAR MR. FOUND,—Thanks for your letter of 30th ultimo regarding the protests of the Victoria Branch of the Canadian Legion. May I suggest that you request the Legion to forward you the names and regiments of the ex-soldiers who are at present employed on the traps at Sooke. I shall be extremely surprised if there are more than six! There being a number of Swedes and half-breeds, in any case for every ex-soldier who would lose his job, at least ten would find employment fishing.

Leave the traps and the spring salmon will soon be extinct.

Yours sincerely,

G. T. WHITE.



## HOUSE OF COMMONS

CANADA

OTTAWA, April 21, 1936.

The Honourable J. C. MICHAUD, K.C.,  
Minister of Fisheries,  
Ottawa, Canada.

DEAR MR. MICHAUD,—I enclose copy of a telegram just received from a gathering of fishermen held at a place called Bull Harbour in British Columbia where a large number of them often go for shelter:—

Trollers of B.C. Coast very pleased when informed of Department's definite decision to do away with traps next year STOP Later advised owing to slight pressure from Victoria interests such definite decision may be reconsidered great disappointment and disgust resulting. STOP Washington fishermen very surprised traps allowed to remain since theirs are closed STOP Want of departmental backbone may result in movement to reinstate Washington traps.

When your Department wrote me some months ago that they had decided to issue no more trap licences at Sooke after this year I forwarded the news on to the fishermen of British Columbia and they were very pleased, and expressed their appreciation. Then later on a reply that was made by your Department to Mr. Plunkett in the House suggested that it was only a matter of consideration. This also got known out west and hence this wire.

There is a strong agitation on the Washington side to get traps reinstated and there is no question that the above wire is correct, in that our default in not stopping traps on this side will be used as a strong argument to reinstate them on the American side.

Yours faithfully,

(Sgd.) A. W. NEILL.

A. D. MACFARLANE, K.C.

205-208 TIMES BUILDING,

VICTORIA, B.C., April 24, 1936.

The Honourable J. E. MICHAUD,  
Minister of Fisheries,  
Ottawa, Canada.

*Re Sooke Fish Traps*

DEAR MR. MICHAUD,—Realizing that during the session your time is fully occupied, and as my friends here were quite re-assured by a telegram which they received from Mr. Hugh Dalton, under date of March 4th, I have not written you further on this matter. I write now only for two reasons; first to call to your attention the fact that the report of the hearings before the Congressional Committee on Fish Traps in Alaskan waters has been published. It covers two hundred and eighty-eight pages, largely closely printed, and I do not expect that you would have time to peruse it now. The result is that after a full hearing in which the widest latitude was given to the parties opposing traps, the Commissioner of Fisheries, Frank T. Bell, the Acting Secretary of Commerce and the Secretary of Commerce all concur in recommending an unfavourable report in regard to the legislation H.R. 4254 and H.R. 8213 intended to effect the abolition of traps in Alaskan waters. Traps there have reached as high a figure as 799 in 1927, and in 1934 there were still 449 licensed.

This report indicates the attitude of the United States Department of Fisheries. It is not likely that the Washington State Departmental attitude will be different. You will recall that the present legislative position in the State was the result of an Initiative.

My second reason for writing is to thank you for the intimation given in your answer appearing on page 950 of Hansard, that the granting of trap licences for future years may later be considered, and also for the assurances given Mr. Dalton. This telegram, a copy of which Mr. Todd has handed me, is as follows:—

As result conference with Minister of Fisheries this morning he authorizes me assure you on his behalf that his decision regarding traps is not to be taken as final that he has entirely open mind on subject and that he intends to go into matter thoroughly while on coast this summer following which he will make decision STOP Hope this satisfactory.

My friends here are entirely satisfied with this assurance, and request me to convey to you their appreciation. They feel when you investigate the situation here you will see clearly that their operations are such as will meet with your entire approval as a well conducted industry which should be preserved for Canada.

I am convinced myself that the understanding of the Puget Sound situation, that you will be able to obtain through a visit here, will clear away some misconceptions which I can see exist, but with which I do not wish to burden you at the moment.

When you are able to determine the approximate time of your visit I would consider it a personal favour if you would let me know when you expect to be here. I presume it will be July or August, and I should like, not only to have the pleasure of meeting you again, but to give you such assistance as I can. That I will always be happy to do.

Regretting if in raising this subject again I am adding to your already heavy sessional burdens, I am,

Yours very sincerely.

(Sgd.) A. D. MacFARLANE.

(Copy)

# KYUQUOT TROLLERS CO-OPERATIVE ASSOCIATION

BASTION BUILDING, 1124 Government Street,

VICTORIA, B.C.

July 8, 1936

Mr. J. E. MICHAUD,  
Minister of Fisheries,  
Ottawa, Ontario.

DEAR SIR,—At the Semi-annual General held June 12 at Kyuquot the Members instructed the Secretary to write you regarding a petition made by Japanese fishermen for further issuance of licences so as to have two licensed fishermen on each boat, as well as having the fishing boundaries removed, inside of which Japanese fishermen might fish.

The petition as far as we know is signed entirely by Japanese fishermen, with a few signatures from White Canadian citizens, who, if their occupation and interests were ascertained would show to be farmers, merchants or land-holders directly interested economically in trade with the Japanese, but we believe you would not find one signature of a fisherman, who is the one that has anything at stake in this matter.

Our Members consist of the highest class of fishermen, owning boats of identically the same type as these professed to need two men by the Japanese to handle at deep sea fishing, our members can handle these boats singlehanded and do so, so it seems to be a roundabout way by the Japanese to have further licences issued, and then when licences were issued use one licence for one boat, thus increasing the number of boats, and getting more power.

As regards removal of boundaries, we only beg to refer to the fisheries of the Fraser River, which is almost entirely in the hands of the Japanese, an experience which should be illustrating enough to settle this question.

Re Trap licences. The Secretary was also instructed to bring to you the full appreciation of the Members for your final stand in this matter, not to issue any licences after this year.

In conclusion we would draw your attention to the fact that any revenue derived from the Fisheries by the White Fishermen, is used in Canada to buy Canadian goods, and build Canadian Homes, while Japanese fishermen will be Japanese in need as well as in deed. Kindly consider these attitudes whenever questions affecting the livelihood of fishermen is in question.

Yours very truly,

KYUQUOT TROLLERS CO-OPERATIVE ASSN.,

Per H. C. BEYER,  
Secretary.

October 29, 1936.

P.S.—I enclose copy of the speech I made on June 10th, 1929, on the subject of fish traps in Northern British Columbian waters. The end of it was, the Government refused to allow traps in the North, although the Commissioner had endorsed them, contrary to the evidence.

A. W. N.

## HOUSE OF COMMONS

### CANADA

ALBERNI, B.C.

The Honourable J. E. MICHAUD,  
Minister of Fisheries,  
Ottawa, Ont.

DEAR MR. MICHAUD,—I have your letter of the 23rd instant, re traps at Sooke.

I gathered from your remarks at Port Alberni that you had decided to abolish them, and I am more than sorry to hear that you have decided to retain them.

To begin to argue the relative merits of catching fish by traps and other methods of fishing is reopening an argument that popular sentiment has been almost unanimous on for many years. It causes a large destruction of young immature fish and also of fish that are not wanted because everything is taken in.

It runs seven days a week and twenty-four hours a day, as against the seines which have long closed periods each week.

Their use, is in fact, illegal in as much as it confers exclusive rights of fishing in a fixed area to one individual, which is absolutely contrary to our law, which in any area where fishing is allowed, permits everyone to compete equally.



A test case was made on the American side a few years ago and the Court ordered the traps to be taken out on the ground that it was a violation of the gill-netters right to fish in any open water.

Traps were largely used in Alaska waters and the Alaskan fisheries are managed by a Commissioner, formerly a Mr. O'Malley, who was noted for his ability and experience. In one year alone, he cut out 200 traps in South-East and Central Alaska. Another year he eliminated 51. Owing to a change in political parties in the States, his place was taken by a Mr. Bell and we find him saying that traps are "the most vicious type of gear in operation". He also stated that he had closed 100 out of 400 in his first year of office and was in favour of closing them all.

That is the unbiased opinion of expert American officials.

The Kyuquot Trollers Association, and in fact all fishermen's organizations, have repeatedly petitioned our Government against the use of traps and they have been cut out with the exception of those at Sooke. The argument used in favour of retaining them was that the salmon were passing there on their way to the Fraser River but on their way went into Puget Sound, which is American water and were heavily caught by the American traps.

The American use of traps was one of the principal obstacles to our arranging a Fraser River Treaty with the States because they would not give up the use of traps and it was not fair to our gill-netters on the Fraser River.

Two years ago, the people of the State of Washington passed a law eliminating traps on their side of the Line.

Three things immediately happened. 1. A determination of the trap interests in Puget Sound to get the law repealed.

2. Friendly action by the U. S. Government towards accepting the Fraser River Treaty.

3. The obvious necessity of our meeting their advances by cutting out our traps at Sooke as the presence of the American traps were their only justification.

Last year, the Sooke interests maintained their hold but it was so obvious that we must meet the American gesture that a decision was made and communicated to me by your Deputy in a letter dated February 7th, 1936, that the trap owners had been notified that their licences would be granted for 1936 but not thereafter which gave them ample time to make arrangements.

A trap is an annual affair, put in each year, and to get a year's notice ahead was more than fair to them. If an area fished by seines or gill nets is to be closed, they do not expect any consideration and often only get a few weeks notice, sometimes not even that.

If we let it be known that our traps are to be continued, we are handing the strongest weapon possible to those interests in the State of Washington who want to get traps back, because they can say we stopped a large number of traps and the Canadians have refused to meet us by closing a comparatively small number on their side. It is the worst kind of international diplomacy that we could adopt.

In your letter of the 23rd instant, you say that the main argument offered by those opposed to trap fishing is that the disappearance of the traps would enable seine fishermen to fish those particular waters, and you point out that the adjacent waters where these traps are, are not fished by seines.

I respectfully submit that that is not the main argument, but such are as I have quoted above.

First, to meet the American offer because our fish do go through Puget Sound, where they used to be caught in enormous quantities by the American traps and it would well pay us to cut out our traps at Sooke to stop them from trapping in Puget Sound.

Second, the objection to traps because it is so destructive to all kinds of fish.

Third, the work that it would afford to seiners and gill-netters catching the same quantity of fish.

Fourth, the fact that they are illegal inasmuch as they give the monopoly of a certain piece of water which is by law, open to all fishing.

As to the argument, which seems to me to be a very narrow one, that that particular area is not now fished by seines, the answer is obvious. It is because all the favourable fishing grounds or sites are monopolized by these traps which, of course, found out and obtained the most strategic points.

The argument advanced that the sole reason that the fishermen are against the traps, is that they would be able to sell fish to the cannery now supplied by the traps, is a very poor one indeed. Fishermen sell their fish in the open market and canners can buy their fish in the open market or can employ their own seined for that purpose. It is true it would increase the number of fishermen employed and to a far greater extent than the few trap attendants that it would throw out of work, but furnishing employment is a great thing now-a-days and the few trap attendants could readily be absorbed into the greater demand for fishermen, and action to the common good cannot be withheld on their account any more than we did not stop the use of motor cars in their initial stages, out of sympathy for the livery stable employees.

By every count, therefore, that I can think of, we are entitled to abolish the traps; in encouraging the Americans to keep their traps closed, which is so much to our benefit; the preservation of the salmon runs and other varieties of fish, by preventing the catching of immature fish, and the preservation and employment of fishermen.

I earnestly trust that you will reconsider this matter.

Yours faithfully,

(Sgd.) A. W. NEILL.

ROCKY POINT HOUSE, R.R. 1,

VICTORIA, B.C., 6. 1. 37.

Mr. W. A. FOUND,  
Deputy Minister of Fisheries.

Dear Sir,—May I be informed whether the Sooke traps are to be allowed to operate this coming season. A short time ago an article appeared in "The Daily Colonist" in which it was stated that since the American traps were removed over 10,000 sportsmen in Washington have taken up salmon fishing. Consider what this must mean to boat builders, machine shops and shops which sell fishing tools, etc.

I sincerely trust that the Government has at last realized the vital necessity of closing all traps.

A few men will lose their present jobs at Sooke, but it will benefit hundreds of men who have been forced on relief through the scarcity of salmon.

Yours truly,

(Sgd.) G. T. WHITLA, *Capt.*

CANADIAN NATIONAL TELEGRAPHS

OTTAWA, January 29, 1937.

P. W. D. TAYLOR, Esq.,  
President,  
Sooke Branch Canadian Legion,  
Sooke, B.C.

Your wire received thanks for same will help materially to have justice prevail.

J. E. MICHAUD,

*Minister of Fisheries.*

Charge—Department of Fisheries.

## CANADIAN NATIONAL TELEGRAM

MOA 247 49 NL

VANCOUVER BC 30/36

1937 Jan 30 pm. 1052

A W NEILL

House of Commons Ottawa Ont

We protest against straps as it is privileged and destructive fishing and therefore illegal Stop Trap locations are fine fishing grounds for seiners and trollers Stop Seiners and trollers fishing every year at trap locations but the privileged permanent location of traps obstruct operations for other mode of fishing

## KYUQUOT TROLLERS COOPERATIVE ASSOCIATION

Copy

Via Point Grey

## CANADIAN NATIONAL TELEGRAM

BULL HARBOR, B.C., April 20/36

A. W. NEILL, M.P.,

House of Commons, Ottawa, Ont.

Trollers of B.C. Coast very pleased when informed of Department's definite decision to do away with traps next year. Later advised owing to slight pressure from Victoria interests such definite decision may be reconsidered great disappointment and disgust resulting. Washington fishermen very surprised traps allowed to remain since theirs are closed. Want of Departmental backbone may result in movement to reinstate Washington traps.

(Sgd.) GAUNT.

Copy

Box 4 COURTENAY, B.C.

26th January 1937.

DEAR MR. NEILL,—Many thanks for your letter of the 16th and for having the matter of the lights fixed for me.

I heard over the radio last night that the fish traps are to be worked again in spite of all you and the other members for B.C. could do about it and I know you did your best.

This action on the part of the authorities is one that makes me ashamed of our country.

Yours sincerely,

(Sgd.) EDWARD LLOYD.

## PACIFIC COAST FISHERMENS UNION, B.C. SECTION

176 HASTINGS STREET EAST,  
VANCOUVER, B.C.,

January 20th, 1937.

*Re Commercial fish traps operating in B.C. waters.*

In the discussion regarding fish traps now operating on the West Coast of Vancouver Island, B.C., our Union has taken the stand of protesting their use for the following reasons:



1. Since the abolition of fish traps in waters of the State of Washington by the passing of Initiative 77 in November 1934, there has been increase in the percentage of the Fraser River Sockeye pack caught by B.C. fishermen. In the period from November 1934, the removal of the fish traps in Washington, the actual figures show that B.C. got over 50 per cent of the catch, while prior to that time, statistics will show that the Americans got the largest per cent. The following figures will prove this:

Packs for B.C. and Washington, with no traps operating in Washington:—

1935		1936	
B.C....	62,822	B.C....	179,808
Wash...	54,677	Wash...	42,894

Packs for B.C. and Washington, with traps operating in Washington.

1932		1933		1934	
B.C....	65,769	B.C....	52,465	B.C....	139,238
Wash...	81,188	Wash...	126,604	Wash...	352,579

The above figures show that the abolition of the fish traps in Washington has given the B.C. fishermen a distinct benefit as well as being a conservative measure.

Many will ask the question, what has the abolition of traps in Washington got to do with the traps in B.C? Since it has become law in the State of Washington that no commercial fish traps can operate, there has been considerable propaganda spread by the former trap interests to have this law changed. One example that is brought up is the question of the B.C. traps. They state that if the traps of Washington were taken out for the purpose of conserving the Sockeye Salmon run, then why are they allowed to operate in B.C. waters? They also claim that while B.C. is getting a much larger portion of the Sockeye run nothing is being done by the Canadian Government in the way of helping the salmon runs being built up. This is largely true, and we suggest that the Department of Fisheries should be in a position to take such conservative measures that are necessary, and that a larger allotment of money should be given to them for this purpose. Closing the traps in B.C. would be a great conservation move, not only for the salmon, but for other species of fish.

If the traps are again made legal in the State of Washington it will work to a detriment of both the Washington and B.C. fishermen. The above figures on the respective packs prove to us that B.C. has got a much larger share since the traps were abolished, and the statistics of the State Department of Fisheries of Washington prove that prior to November 1934, when the traps were abolished, that it was the trap that caught the bulk of the fish in Washington, and did not bring any revenue to the commercial fishermen.

## 2. Employment

At present the operation of traps on the West Coast of Vancouver Island employs about 40 workmen, made up of trap tenders, packers, etc. There are no fishermen operating in the immediate area of Sooke, where the traps are located, owing to their being unable to market their fish to the company owning the traps, who will not buy any fish from an individual fisherman, as they can get the fish from the trap much cheaper. At the present time, if the traps were not operating, there would be ample fish caught by fishermen to supply at least 200 fishermen with a decent livelihood and a fair return for their work and capital investment for the year round, instead of having a few that are seasonally employed as now.

### 3. *Conservation*

Owing to the peculiar makeup of a trap net, all sizes and species of fish are caught, from the smallest to the largest. As the canners are only interested in the salmon for canning it is a fact that many scow loads of ground fish, herring and pilehard, are taken from the trap each year and are killed in the operation of cleaning the trap. This is the case with young salmon that are too small to be canned, and all these fish are taken to deep water and dumped. This, in our opinion, is wanton and useless waste of our natural resources.

Because of these three above mentioned reasons, our Union has taken a stand against the fish traps, and for these same three reasons we ask that no more commercial fish trap licences be issued in B.C.

Pacific Coast Fishermens Union B.C. Section

(Sgd.) JOHN GAVIN,  
*Secretary-Treasurer.*

uv. Doc  
27  
001  
1

*House of Commons  
Committee on Fisheries, 1937*

CA1XC 17  
-412

SESSION 1937  
HOUSE OF COMMONS



STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 4

FRIDAY, FEBRUARY 19, 1937

WITNESS:

Mr. Chas. F. Goodrich, President, Sooke Harbour Fishing and Packing Company Limited, Sooke Harbour, British Columbia.

J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
OTTAWA  
1937





## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS, COMMITTEE ROOM 268,

FRIDAY, February 19, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock this day, the Chairman, Mr. MacLean (Prince), presided.

*Members of the Committee present:—Messieurs:* Cameron (Cape Breton North-Victoria) Ferron, Green, Hanson, Hill, Kinley, MacLean (Prince), MacNeil, MacNicol, McDonald (Souris), Neill, Pottier, Reid, Ryan, Stirling, Taylor (Nanaimo), Telford, Tolmie, Tomlinson, Tustin, Venoit, and Ward—22.

*Present as a witness:* Mr. Chas. F. Goodrich, President Sooke Harbour Fishing and Packing Company Limited, Sooke Harbour, B.C.

*Present:* Mr. L. Clare Moyer, K.C., Barrister of Ottawa, counsel for the above named; also

Dr. Wm. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, head Western Fisheries Division, Department of Fisheries, Ottawa.

Before witness was recalled Mr. Neill asked to have a statement corrected, which had been made at a previous meeting respecting the distance between fish-traps as fixed by the Fishery Regulations. The correction was made and confirmed in the evidence.

Mr. Chas. F. Goodrich recalled.

Examination of the witness was continued by Mr. Neill, interspersed with numerous questions from different members of the Committee. The examination continued until one o'clock.

The witness retired.

After discussion the Committee decided to meet again on Monday, February 22, at 11 o'clock a.m. By general consent the Committee adjourned.

E. L. MORRIS,

*Clerk of the Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

Room 268,

February 19, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock a.m. Mr. A. E. MacLean, the chairman, presided.

The CHAIRMAN: Gentlemen, I think we will come to order. We have a quorum. When we adjourned yesterday, as you know, there was a resolution before the committee; and it was the opinion of the committee at that time that we were not ready for a vote just then. Mr. Goodrich is still here, and he was on the witness stand at that time. What is the wish of the committee? Do you wish to proceed with your questioning, Mr. Neill?

Mr. NEILL: Yes. Before we do so, I would like to correct a mistake made by Mr. Found yesterday. The report is not printed yet, but it will be in the record, and remembered by those who were here, that Mr. MacNicol asked the witness, Mr. Goodrich, why they did not put more traps in that area. I was trying to get from Mr. Goodrich a statement to the effect that the area was limited in extent, and by the time they covered the best sites with the 7 traps, or the licences that they have and pay for, but did not use altogether, with the distance that is required by law in between them, that would pretty nearly cover the ground. Mr. Found interposed and said that I was all wrong about the distance between, which I thought was 500 yards. He explained—and found a text for it—that it was 250 yards. I have now looked up the act and I find it is 800 yards. Here is the section of the act dealing with it:—

“A salmon trap net shall be located on a definite site, specified in the licence, and shall be at least 400 fathoms distant from the nearest adjacent trapnet.”

Mr. Found has got hold of the general statement in the Act.

Mr. FOUND: Yes.

Mr. NEILL: Which says: “All stationary nets, or other stationary appliances for the capture of salmon, shall be placed at distances of not less than 250 yards apart, without intermediate fishing nets or appliances of any kind being set or used.” But the former is the thing which applies, because it is specifically headed “salmon.”

Mr. FOUND: That is the regulation. I overlooked that regulation.

Mr. NEILL: I do not think Mr. Found, as an official, should come here and make prejudicial statements without knowing what he is talking about. He flattened me right down, and said I was all wrong about what I was suggesting; but it appears that I was low on the statement. It should have been 800 yards instead of 500. It says 800 yards between all traps. It is page 27 of the regulations, sub-section 5.

Mr. FOUND: That is right.

Mr. NEILL: Mr. Found admits it.

Mr. FOUND: I am sorry, Mr. Chairman. I was asked quickly, and the general section of the act which covers the matter generally was what occurred to me. That I read. There is, however, a regulation adopted by order in council included in the British Columbia regulations, which deals specifically

with the distance between salmon trapnets. That is sub-section 5 (a) of section 19 of the regulations, which reads, as Mr. Neill has said:—

A salmon trapnet shall be located on a definite site, specified in the licence, and shall be at least 400 fathoms distant from the nearest adjacent trapnet.

That is as far as the distance is concerned.

Mr. NEILL: To go back to where we were yesterday, I was asking Mr. Goodrich a few questions, and I shall try to be as brief as possible. I know the committee are tired. If any of the committee think I am dealing with matters which are not pertinent, I would like to say that they all refer to matters brought up by Mr. Found or Mr. Goodrich. The whole object of this agitation is on account of the Americans having had a large number of 219 traps on the American side when we had 4 or 5 on our side; they stopped theirs 2 years ago, and therefore as a fair-minded industry we should follow suit. The advantage was all to our side in getting rid of 219 traps by giving up 4 or 5.

CHARLES F. GOODRICH, re-called.

*By Mr. Neill:*

Q. Mr. Goodrich, I have before me amongst the correspondence tabled by the minister yesterday, a letter dated August 5, 1936. It is on the letterhead of the Sooke Harbour Fishing and Packing Company and it contains a long statement, 8 pages, signed by the Sooke Harbour Fishing and Packing Company, by Charles F. Goodrich. I suppose you remember writing that?—A. I don't remember offhand, Mr. Neill. What is the date of the letter again?

Q. August 5, 1936; and it is a brief prepared either by yourself or —A. Oh, yes, I remember.

Q. Addressed to the minister?—A. Yes.

Q. So that I do not need to be proving it every time I draw attention to it?—A. No.

Q. That is just what I wanted to make clear. I asked last Monday for the balance sheet of this company—and it could have been here in time, for I have got a paper published on Monday night here to-day, the *Vancouver Province*. The other day Mr. Goodrich did not want to send for it on account of the delay, and he said we could go down to the income tax people and get a copy of the returns. I doubt whether the returns are held here and not in Vancouver. Anyway, it is not up to us.—A. Pardon me. I think what you stated was that you wished verification of the amount that we stated we had paid for income tax?

Q. Yes.—A. Yes.

Q. I suggest it is up to you to do that, because the income tax people would laugh at us if we went down there and asked to be shown their records. I think it is up to him, if they are available in Ottawa, and I am suggesting he could do it this afternoon.

Mr. MOYER: I suggest that it is surely not a matter which concerns this committee. The Income Tax Department is quite capable of collecting the taxes which this company should pay, and it is doing so. In what way does it concern this enquiry under the terms of the reference?

Mr. NEILL: I will tell you. I am not in the least interested in how much income tax the dominion government got out of this company. That is not the point. The point is that Mr. Goodrich in his brief and Mr. Todd in his brief—it is all here—made special and repeated references to the amounts of income tax they paid the dominion government. It is all here in his brief, and he gave it in his evidence yesterday. That is why I want verification. If a man comes here and says, "In consequence of this business I have paid the

[Mr. Chas. F. Goodrich.]

dominion government and the local government \$7,800 a year, and that is a reason for keeping on with the trapping licences," surely I am in order to have that verified. That is the reason why, Mr. Moyer, I would like to have these facts verified; not in order to collect more income tax. If he can beat the income tax, he is welcome to do so. I would do it myself if I could.

Mr. MOYER: The witness is on oath. He says those figures are correct.

Mr. TAYLOR: Pardon me, but was it correctly stated as \$7,800 a year, or was it \$75,000 over a considerable period? I have it in my mind that is what it was, but it has been reduced by Mr. Neill.

The CHAIRMAN: I remember the figure of \$75,000 being mentioned over a period of years.

Mr. HANSON: It is an average of a little over \$7,000 a year. That is what he said.

*By Mr. MacNeil:*

Q. Did that not include all licence fees as well as income tax?—A. It did. What I was pointing out, in what has been termed my brief, was that a considerable revenue had been received by both the provincial and the dominion government from our operations; and I specified the general heads under which that revenue had been received.

*By Mr. Neill:*

Q. On page 38 of your evidence on the 15th of February, the amount is given by you as follows: "In the same length of time we have paid to the provincial government in licences, foreshore rental, real estate, etc., \$65,563.44, a total of \$139,277.64, computed on an average of \$7,737.65,"—per year. I put in the words "per year."—A. That was the average payment, yes.

Q. Just while we are on that point, although I wanted to deal with it later, would you mind taking a pencil and adding those figures together, and see if they add up to that amount? I make a difference of \$2,100.—A. I noticed as you read that, that apparently two typographical errors have crept into the report. I am sure the testimony which I gave was correct, because I read it from the same source as you have before you, and as I had before me.

Q. But your brief reads the same way?—A. Pardon me, it does not. I will repeat the figure, and if there is an error, you will verify it, and I am subject to correction. Paid to the Dominion government, my figure shows \$75,814.20.

Q. And to the provincial government?—A. To the provincial government, \$63,563.44. I think you read it as 65 a moment ago.

Q. Yes, it is 65 in your evidence the other day.—A. There was apparently a typographical error somewhere.

Q. Which is correct?—A. 63.

Q. It is \$63,563.44?—A. Yes.

Q. That makes an average of \$7,737 annually?—A. That is correct.

Q. Now we have got it. Mr. Taylor wanted to know about that.

*By Mr. Taylor:*

Q. How many years does that cover?—A. That is 18 years.

Q. From what year?—A. From 1918 to 1935 inclusive.

*By Mr. Neill:*

Mr. Todd wired, on a date that I need not quote, that the entire cannery would quit if the traps were abolished. I will deal with that later. I would like to press for that balance sheet. However, while waiting on the matter I tried to obtain some idea of the financial structure, and Mr. Goodrich told



us quite frankly that he was in partnership with Todd in the traps. He, himself—that is, his company, Mr. Goodrich's company, own no cannery or have operated no cannery since 1921 and had not operated a mild curing plant since about 4 years ago. I ask you this, Mr. Goodrich: Does not this make your company a kind of silent partner, owning nothing of any value beyond the 3 licences, and that Todd is compelled to carry you on account of the licences?—A. It is not true; because we have property of considerable value outside of those licences. We own our real estate and buildings, as I told you the other day, at Sooke, which are our own individual property. We own the cannery tender which we use, a boat called the *Harriet E*, with a 135-horse-power Diesel engine in it. We own the pile driver individually. We own various other floating equipment—scows, dories, and so forth. We own another boat that we use in connection with the traps, and various other property. We were not in any way asking Mr. Todd for any financial assistance in operating.

Q. I do not suggest that. But I ask you this question: Mr. Todd could run the traps alone quite easily, but he could not do it without your licences, could he? That is what makes you a partner. He could run the traps alone quite easily. He does not need your assistance there. He has traps, equipment, and everything.—A. We could run his traps, too, quite easily, as far as that is concerned.

Q. He could not do without your trap licences?—A. He did for a great many years.

Q. He does not do it since 1922, does he?—A. No. But that does not say he cannot.

Q. He cannot do without the use of your trap licences. That is what gives you partnership. It is not the possession of a broken-down cannery which has been out of operation for 12 years and a mild curing plant which has not been in operation for 4 years. Might I ask why you stopped running the cannery? I think we had that yesterday, but I was not quite clear?—A. I think I pointed out the other day that there was economic waste in maintaining 2 plants there, that one cannery could handle all of the output of our combined traps, that one pile driver could do all the work in respect of the two.

Q. Well, that would apply to almost any 2 canneries, would it not?

*By Mr. Hanson:*

Q. What is the capitalization of the company?—A. \$24,800 is the capitalization.

*By Mr. Neill:*

Q. Of your company?—A. The Sooke Harbour Fishing and Packing Company.

Mr. NEILL: You got something I was not able to get, Mr. Hanson.

*By Mr. Neill:*

Q. How much did you say—\$24,000?—A. \$24,800 is the capital stock of our company.

Q. Of the Sooke Company?—A. Yes.

*By Mr. Veniot:*

Q. Do you know what the profit and loss item contained?—A. The loss item—I don't know. You mean the undivided profits—surplus?

Q. Surplus.—A. No.

[Mr. Chas. F. Goodrich.]

*By Mr. Hanson:*

Q. That is a private incorporation?—A. Yes. It is a private corporation.  
Mr. VENIOT: That might not mean much, you know.

*By Mr. Neill:*

Q. I thought I would try and get some statement as to the money invested in the traps, because that is what we are interested in. We do not care what this old cannery cost or anything of that kind, or the real estate. The question is of traps. Let us try and find out what these traps cost, or what the investment is. You said yesterday that a trap cost anything from \$14,000 to \$20,000. That is too wide a spread. I think we should get something nearer than that. That is an enormous difference. It practically amounts to saying you do not know. You told us there would be 400 piles at 20 cents a running foot—that would be averaging 75 feet. Would 75 feet be the average of piles used in your traps?—A. I should say offhand that would be a very reasonable estimate.

Q. That would be \$1.50 a pile—400 piles?—A. I beg your pardon.

Q. \$1.50 a pile—75 feet.—A. I think \$15 would be nearer.

Mr. HANSON: \$15—20 cents a foot.

Mr. NEILL: \$15; and 400 piles at \$15 would be what? \$6,000, would it not? But that is to begin with. That is capital investment to start with, which does not run out in one year. The piles have a life of about 10 years, I suppose. What would you think? Would that be fair?

Mr. HANSON: When they pull them out.

Mr. NEILL: Yes. They pull them out every year.

The WITNESS: Yes. I should think offhand it might average that.

*By Mr. Neill:*

Q. There is \$6,000 invested in piles. Then wire netting for the lead is an annual expense, because it rots away every year. So that is counted as part of the running expense. Net and webbing would last for how long—three years?—A. Three or 4 years, possibly.

Q. Three or 4 years, possibly?—A. Yes.

Q. And what would such webbing cost?—A. Well, I should say approximately \$1,500.

Q. \$1,500; and that is good for 3 or 4 years.—A. Let me qualify that, however. I think I pointed out the other day that you have to have several sets. You have to have several pots and spillers, in order to run through the season.

Q. Yes, you use one that has been out, and fix it up.—A. They have to be changed from time to time, yes.

Q. The cost of webbing, of course, is not a capital expense. It is the annual expense of running it. What about boats? How many boats are employed in connection with the trap?—A. Usually three.

*By Mr. MacNeil:*

Q. What type of boats?—A. One was originally a sealing boat, a sealer. She is a carrier and she is also a very efficient boat to handle our pile driver, just the right size to efficiently handle the pile driver in all kinds of weather, which is very essential. That is the largest of the boats. The other boats are smaller, about 56 feet, I think they are, in length—something like that.

*By Mr. Neill:*

Q. They use them for tenders, for taking the fish, I suppose?—A. Yes; and not only that, but you have to have boats to handle the other scows. I pointed

out to you that there were capping scows as well as the pile driver. And they have to be towing the piles back and forth, various work in connection with the construction, maintenance and operation of the traps.

Q. You do not use the whole three for that purpose. I would say that one would do the traps. Taking the fish away is not part of the trap, because you would use those if you were buying from the gill netter or the seiner. The big boat is what you would use for handling the pile driver and so forth. What would the cost of it be?—A. I think the cost of that boat was originally in the neighbourhood of \$2,500.

Q. Did you buy it for that, your company?—A. Approximately that; yes, I did, as near as I can recollect. It was many years ago.

Q. Have you any buildings in connection with those traps?—A. We have buildings in connection with our fishing headquarters, yes.

Q. Where are they located?—A. At Sooke.

Q. What is the nature of them?—A. They are now used for the purpose of storing our gear and also afford shelter for making up the wire netting.

Q. Yes. What is the size of it?—A. Oh, I think something over 300 feet long. I can't give you that exactly.

Q. It is a shed, I suppose?—A. No. They are good substantial buildings. They were buildings—or the main building was originally built and used for a salmon cannery.

Q. Yes?—A. And then there was an addition to that. Then there was another building alongside of it which was used for a storage warehouse for the canned salmon.

Q. You had a large shed which you used for the purpose of fixing nets and storing?—A. They are used for that purpose now, yes.

Q. Would that be worth \$500?—A. I beg your pardon?

Q. I say would that be worth \$500?—A. They are worth considerably more than that.

Q. Now?—A. I do not know what they are worth now. It depends on whether you are going to sell as a going concern or not.

Q. Well, that is all I wanted to know about that subject. We then have the piles which cost originally \$6,000, and which are good for perhaps 10 years; webbing that cost \$1,500 which is good for 4 years; a boat which costs \$2,500, that is good for whatever the market makes it worth today; and the buildings worth \$1,000, to put an outside value on them.—A. No.

Q. That comes a long way short of \$20,000. Would you explain the difference between those figures and \$20,000, which was your estimate yesterday of the cost of the traps?—A. I stated the other day that the traps varied in length from approximately 600 feet to approximately 2,000 feet.

Q. That is the lead; the trap does not vary much in size.—A. The outside end does not vary very much in one kind or the other; your hearts and pots are about the same size in a short trap as in a long trap. It is only the lead which varies.

Q. Yes?—A. Naturally, the trap with the longer lead and with perhaps much longer piles would cost considerably more than the short trap. In the computation of our cost we naturally include labour as well as material. We employ a pile driver. On some of the short traps, under the most advantageous circumstances, they have been known to drive that trap in approximately ten days.

Q. Four hundred piles in ten days?—A. I think you asked me about that, the longer traps showing 400 to 450. Was not the record clear on that?

Q. We agreed on an average of 400 piles. That would be the average.

Mr. MOYER: I do not think that is correct. I think that applies to the longest.

[Mr. Chas. F. Goodrich.]



Mr. NEILL: He said 450 for the longest, and he said the average would be about 400.

The WITNESS: I am not of the opinion that I computed the average at all. It would be a rather difficult matter in 5 traps. Sometimes you have 4 and sometimes you have 5 with various lengths. I would want to consult our book before I undertook to compute an average that would be of any value to this committee as a basis of computation. But I am trying to explain as briefly as I can how the cost of these traps is computed. We would charge out as a debit against each trap in the first place all the piles that went into the original construction of the trap. Such piles as we carried over from the year before would, of course, be carried at the inventory price, the same arbitrary price that we set upon them in the fall. Whatever new piles we had to buy would have to be charged at the new value, and that cost distributed among the various traps. Then when the trap is pulled in the Fall, the piles which you are able to salvage from that trap and store, you credit against the cost of the construction of the trap. The time of the pile driver would be all charged as a part of the cost. We find that it costs us nearly \$100 a day to operate the pile driver. That includes wages, coal, repairs that we have to make, and all other items including labour and mess. The actual cost, as I recollected, is approximately \$100 a day for the pile driver. Sometimes under favourable tide and weather conditions a trap might be entirely driven in 8 or 10 days. That would be a short trap, naturally. Sometimes a trap has taken as long as forty days to construct. Whatever time the driver is out on the job is charged; and at the end of the season all the items of cost which went against the pile driver are computed. You find out what your total pile driver cost has been for the season, the number of days that it has worked, and divide one by the other, and that is the basis of cost which you charge against your traps for the driver. All of the wire netting which goes into the construction of a trap is, of course, charged. Equally so in connection with the cost of webbing; and the webbing which you salvaged from there in the Fall is credited as part of the salvage, the same as I mentioned in regard to the piles. The labour of the men employed on the trap is also charged against the trap. So that all of those enter into the cost of the trap.

*By Mr. Neill:*

Q. Just a minute there. Are you not mixing up the running of a trap and the capital cost? You say that the men employed on the trap would be charged against the cost of the trap. They should be charged against the running of the trap, which is an annual thing.—A. It is all charged against the running of the trap.

Q. It seems to me you charged them all to capital?—A. There is no capital expenditure in a fish trap, because at the end of a season when you have finished, your piles are all pulled, and you have no more traps than you have on the committee room floor.

Q. But you have the piles?—A. I beg your pardon?

Q. You have the piles?—A. You have charged them in the trap when they went in and credited them when they come out. But you have no capital asset in the trap after you finish fishing for that season. There are no piles left in. There is nothing but an expanse of water.

Q. But you have got the piles piled up on land ready for next year, which saves you buying them?—A. They have been credited. I think I have made that clear.

Q. In the next year do you put them in at a lower price?—A. Naturally.

Q. I thought you said you kept them always at the original price?—A. I did not say anything of the sort.

Q. You charge them at a lower price next year?—A. I said that the new piles which we purchase each year and which went into the trap were charged at the new value.

Q. Yes?—A. The used piles we charged at the same price that we credited the trap at the close of the preceding year.

*By Mr. Ryan:*

Q. Have you had a profit each year?—A. No. It has varied.

Q. How much would it vary?

Mr. NEILL: Mr. Goodrich, you have come a long way short of making anything like a show of showing \$20,000 for a trap. I wish you would give us more on that.

*By Mr. Ryan:*

Q. The only reason that I asked that, Mr. Goodrich, is this: Suppose these traps were discontinued. What I am getting at is from the financial standpoint. If you did not show a profit, there is nothing to the advantage of the trap, is there?—A. There have been years when we have suffered very heavy losses. I do not want to go into it and try to relate 18 years' history from memory, Mr. Ryan.

Q. I appreciate that. The only thing I was trying to get down to was from the financial standpoint of the traps to your concern.

Mr. NEILL: I should like to have Mr. Goodrich come and sit over here. The acoustics are rotten and I cannot hear him very well.

Mr. RYAN: I was not here at the last sitting, and I may be asking something that was asked then. If you have not got the figures, Mr. Goodrich, it is all right. If you cannot tell us, it is all right.

The WITNESS: Perhaps I can tell you the most unfortunante year that we ever had. I don't know that it will interest you.

*By Mr. Ryan:*

Q. Take it over the last 18 years; has it been a profitable business?—A. Yes. On the whole we have made a profit. Unfortunately for us, Mr. Ryan,—I might mention this as long as you bring it up,—one unfortunate part of the fishing business is that it is a business which fluctuates very greatly from year to year. You may have a very profitable year one year and a very disastrous year another. In the profitable year, there is no way of equalizing your taxes. If you were to make any given sum—take \$25,000 for example; if you were to make \$25,000 in one year, you would have to pay taxes on \$25,000 profit. The next year if you have a \$25,000 loss, it is just too bad. That is all they can do for you.

*By Mr. Hill:*

Q. Is it not true that the big fisheries, the B.C. packing companies show tremendous losses? I have watched their statements for the last 7 or 8 years.—A. That is so.

Q. Last year was a successful year?—A. Yes.

Q. But they carried on for years at tremendous losses?—A. Yes.

Q. They carried on because they had an enormous investment in the plant; and with the plant investment they had, they carried on at a loss rather than throw up the whole plant investment?—A. Their losses would undoubtedly have been very much heavier if they had discontinued.

*By Mr. Tomlinson:*

Q. But your business has been a profitable business?—A. Yes.

Mr. REID: I think it is fair to say that the losses incurred by the canneries in British Columbia have been due in great measure to over-capitalization

[Mr. Chas. F. Goodrich.]

of the cannery plants themselves, and not due to the fishing, or the cost of the fish.

Mr. HILL: To some extent, yes.

Mr. REID: To some extent the loss was due to over-capitalization of the industry.

Mr. HANSON: You cannot say it is over-capitalization.

Mr. TAYLOR: Capitalization has nothing to do with the question.

The WITNESS: I would say in regard to our capitalization, if it is of any interest to the committee, that the \$24,800 was the amount of our capital stock in the early years of the company. However, the shareholders advanced to them as working capital certain sums, so that they had some more money than that as a loan from their own shareholders.

*By Mr. Ryan:*

Q. That is your own company you are speaking of?—A. My own company.

Q. It is not a closed corporation, is it?—A. Yes. It is a private company.

Mr. REID: If Mr. Neill is through—

Mr. NEILL: No, I am not. I do not want to detain the committee unduly. I just suggest this to Mr. Goodrich. I am wholly unsatisfied with his explanation of how he arrives at \$20,000 per trap. I would suggest, without wasting any more time, that he before next meeting draw up a statement, after thinking it all over, of the cost of a trap. He has been in the business many years. He must be able to give a good approximation of that cost, of the piles and labour and so on. I suggest that he submit that to this committee; because to put it down on the record that he thinks a trap will cost between \$14,000 and \$20,000, when he cannot show anything above \$7,000 or \$8,000, I do not think is satisfactory.

The WITNESS: Mr. Chairman, I do not concede that that is true. Have I only shown \$7,000 or \$8,000?

The CHAIRMAN: I think you have shown more than that.

Mr. NEILL: He showed \$6,000 for piles, which is not an annual cost; then he showed \$1,500 for webbing, which is largely annual.

The CHAIRMAN: But with regard to the webbing, he says he has to have duplicate sets of webbing, which I think would be at least \$4,500, suppose he had three sets at \$1,500 each. That would be \$4,500.

Mr. NEILL: But they do not wear out in one year. Let him make his statement after he has had time to think over it. I think that would be agreeable to the committee. He would have an opportunity of writing it down and looking at it. At that time he would know what he is talking about.

The CHAIRMAN: Six and four is ten. That is \$10,500 for the webbing and the piles.

Mr. NEILL: We will take his biggest figure. We will say \$10,000.

The CHAIRMAN: Then the operation of the pile driver.

The WITNESS: If you take the operation of the pile driver at an average of say at the very least, 20 days, at say \$100 a day—

The CHAIRMAN: That is \$2,000.

Mr. TOMLINSON: I would like to know the actual cost of a trap, without the labour of putting in the piles—the actual cost of the trap, if I went to buy one.

Mr. MOYER: You do not buy them. They are made. You buy a company that operates traps. They are products of their labour.

*By the Chairman:*

Q. I have a note, Mr. Goodrich, that you have not given the cost of this wire webbing?—A. No estimate at all in regard to that?



Mr. NEILL: That is annual cost. He is no more entitled to charge the cost of that webbing, which is annual cost, wire netting, than he is entitled to charge oil for the engines as part of the capital cost. That is running expense.

The WITNESS: It is running expense that we are speaking about.

Mr. NEILL: No, it is not.

The WITNESS: I am trying to point out that there is no capital investment in a trap at the close of the season. You must charge off all of your material as a part of the cost of operating your trap.

Mr. NEILL: I want to know the cost of the trap, the investment when you start fishing. It must be there.

*By the Chairman:*

Q. What is the cost of the wire webbing, do you think?—just an estimate?

—A. I would say \$1,500 for wire netting for each trap, on an average.

*By Mr. Taylor:*

Q. I should like to ask Mr. Goodrich a question. Can you always buy 100-foot or 110-foot piles at 20 cents a foot?—A. No, you can't.

Q. I was rather surprised at the figure you gave. It varies from year to year, I presume?—A. Yes.

Q. Is there any particular kind of pile necessary?—Has it to be of any particular kind?—A. It has to be old growth fir or at least either old growth fir or what they call old second growth. It cannot be new, soft, second growth fir. It has to be peeled, sniped and bored.

*By the Chairman:*

Q. Creosoted?—A. No. We do not use creosoted piles.

Mr. TAYLOR: They are a very cheap pile.

*By Mr. Telford:*

Q. Speaking of those piles, are they single sticks or spliced?—A. No. They are all single sticks. You cannot use a spliced pile.

Mr. MOYER: Will you explain to the chairman why you do not creosote the piles?

Mr. NEILL: They don't need them.

Mr. RYAN: I presume it may affect the fishing, the creosote. Would it?

The WITNESS: That is one belief at least that they held, that it would affect the fishing to some extent. Then, too, you would add to the expense tremendously; and you would have no reason for creosoting your piles unless it was to make them last for more than one season. Your piles will protect themselves against the toredoes and the sandflies, which is what your creosoting would be intended to prevent, if you pull those piles in the fall and drive them in again in the spring.

*By Mr. Neill:*

Q. I will leave that aspect of the business with at least the hope that you will prepare a statement of the cost of a trap ready to operate, not after it is pulled in the fall. We will go on. You had 4 traps operating last year and you are going to have 5 this year. Why is that? What inducement is there to extend it?—A. Every other year in this locality is the humpback or pink salmon year. These fish run in considerable numbers in the odd number years. They do not run practically at all in the even number years. Last year was an even number year and we felt that conditions did not look very favourable in the fishing business, and it being an even number year, we did not think we would be justified in putting in five traps. And there were some other reasons.

[Mr. Chas. F. Goodrich.]

Q. And this year you are going to put in five? Where will you get the piles? Will you use the old piles or will you buy new ones?—A. We will use all of our old piles. We will have to buy some new ones.

Q. You have some supply of old ones?—A. Yes.

Q. If you were told now that you would be allowed your licence this year but not after this year, you would naturally use all of your gear and the piles you have on hand, so that your loss would not be very great?—A. We have already bought our piles for this year.

Q. Yes, but you would not buy new nets. You would make your old nets do?—A. We bought new nets also.

Q. Your loss would not be \$20,000 per trap, would it, if you were warned now that you would not get a licence for 1938?—A. Your question is not possible to answer, Mr. Neill; because either I have not made myself clear or you do not follow my statement. Our loss, if we did not operate this year, would not be \$20,000, because we would lay off our crews immediately, and we would have no payroll on the pile driver; we would have no payroll on the trap. All the labour and cost of operation which go into the construction and operation of a trap—naturally, if you did not construct the trap you would not make the expenditures.

*By Mr. Hill:*

Q. What about your canning plant? Would you not have made quite a loss there?

Mr. RYAN: He is not canning.

The WITNESS: I think that two things are being confused. I have said that the company, if they did not get their licences, would sustain heavy losses. There is much of our equipment, Mr. Chairman, which is only suitable for the construction and operation of this particular mode of fishing. Our pile driver, for example, is of a type that you would be unable to get its full value from if you were to undertake to sell it just to drive dock piles. Whatever material that we had that we carried over—our piles inventory has considerable—we do not charge that each year; because as has been pointed out they are not all the same each year. They do not go into the items which make up the \$14,000 to \$20,000 which I have mentioned for the construction of the traps. The trap piles you would have on hand; if your licence were refused to you, you would have great difficulty in getting any offer for them at all. They are not suitable for docks. They are not desired by the creosoting companies, and I think whatever inventory you had of piling, cotton webbing and wire netting would be lost to you. That is all I have been trying to point out.

*By Mr. Neill:*

Q. Suppose you got two years notice, Mr. Goodrich,—would that soften the blow?—A. No.

Q. Not at all?—A. You have either got to continue or not continue. You have got to have just as much material this year if you are going to operate, regardless of whether you are going to operate the year after or not.

Q. You might operate fewer traps.

*By Mr. Hill:*

Q. You will have just as much inventory left over in the fall?—A. Absolutely.

Mr. HILL: If you operate one year, you have exactly the same amount of inventory left at the end of the year. There is no possibility of operating without having a certain amount of inventory left over. It has got to be in a certain condition this year, and a certain amount of that is going to be in such good a condition that it can be patched up and used for another year. That goes on indefinitely. We are quite aware of that.

*By Mr. Neill:*

Q. There is bound to be some loss when a business stops. Of course I admit that. Failing to get that income balance sheet, I think we should try to find out something about those profits, and the income tax. On page 38 you said that since you had been in operation you paid the Dominion government for fishing licences and income tax, \$75,814; and the sum to the province—A. Just a minute. What was that figure?

Q. \$75,814.—A. You said just a minute ago that I said that we had paid for Dominion licences and fishing tax—

Q. Fishing licences and income tax.—A. Oh, yes, that is right.

Q. That figure is right, is it not?—A. \$75,814.20.

Q. And on page 39 on the same date you said you paid the province \$65,563. You say it should be \$63,563, making a total of \$139,000, odd or an average of \$7,737 a year. Now, would you mind breaking up this payment to the Dominion government between licences and income tax? I am very much interested in that. What do licences run—\$50 apiece? How many licences—4? Four licences last year at \$50, is it?—A. I am speaking now of the Sooke Harbour Fishing and Packing Company. We only have 3 licences in our own—three locations in our own right.

Q. That would be \$150?—A. Yes.

Q. Was the balance of that sum income tax?—A. The balance of that would be income tax, yes.

Q. That is spread over 18 years?—A. Yes.

Q. That would be about \$2,500, would it not—\$150 a year and 18 times that.

Mr. TAYLOR: \$2,700.

*By Mr. Neill:*

Q. That would be \$2,700 to take out from that figure of \$75,800. The rest is income tax, is it?—A. Yes, I should suppose so. I do not see anything else.

Q. Well, some are questioning my asking about this.—A. I think that is quite right.

Q. That is over \$73,000 you paid in income tax in 18 years. That would come to about—A. Is it your wish, Mr. Chairman, or is it the wish of the committee, that I go into all these matters of our income tax?

The CHAIRMAN: Well, it was pretty well covered yesterday—some of it.

The WITNESS: If the committee generally have any interest, all right. If it seems a large amount, I will say that in one year, which was in the year 1919, we had a most profitable year, and we paid to the government the rate of taxation,—as you remember along about that time the business profit tax was a very high rate of taxation and we paid to the government in that one year \$24,600 and some odd, on our 1919 taxes.

*By the Chairman:*

Q. There was how much that you paid—\$24,000?—A. \$24,600 odd on our 1919 business.

Q. That was business profit and income combined?—A. Yes. You paid whichever was the larger, I believe, at that time.

*By Mr. Neill:*

Q. I do not think much is to be gained by going into the individual years, because there are always discrepancies. We will deal with the average. You have told us here to-day, and yesterday too, that you paid income tax over that period amounting to over \$4,000 a year?—A. That is true.

[Mr. Chas. F. Goodrich.]



Q. Can you give us any idea of what amount of profit—what kind of a sum it is on which the income tax is \$4,000? Would it not be something like I suggested? Would it not be about \$40,000?—A. That was the very point I was trying to make a few years ago, or a few minutes ago, that it would be very erroneous to compute our profits on the basis of the amount of income tax that we have paid; for the reason that you paid on large profits on a profitable year, but there is no refund from the government on the years that you have had losses.

Q. In a bad year, you do not pay income tax, do you?—A. No, you don't. But it certainly affects your income at the end of the year; and any statement that you have made a certain amount of money over a period of years because you paid in the aggregate a certain amount of money, would be very misleading. That is all I am trying to say.

*By Mr. Hill:*

Q. You might have a \$100,000 loss in one year, such as in 1934. And you would not get a refund of \$10,000 when you had your loss?—A. That is the point exactly.

Mr. HILL: We know that very well.

Mr. NEILL: It seems to me if I am paying an average of \$4,000 income tax a year for 18 years I had made a pretty good profit.

Mr. MACNICOL: You have got to have a profit.

Mr. KINLEY: I think you made a mistake when you claimed a virtue for paying income tax. It would have been better if you had produced the balance sheet.

Mr. TAYLOR: It is not quite right to ask for the balance sheet. They are a limited liability company. I do not think we are a privileged committee. The object of a private limited liability company is that it shall not be required to publish its balance sheet. If we have got exceptional powers here, all well and good; I am quite willing to listen to this question. But if we have not got that, why proceed?

Mr. REID: I may say this, as a member of the farm implement committee: We have the balance sheet and the assets for every machinery company in this country, and we are going into every last cent they make either in profit or loss.

Mr. TAYLOR: They would be public documents.

Mr. REID: No.

Mr. KINLEY: I think we are going pretty far afield as it is. The point is this: This gentleman has interjected this question into the thing himself by claiming, by virtue of his income tax paid to the government, that he is a benefit to this country. What we say simply is this: "If you want to show your virtue to the country, show your balance sheet." I think if he had done that, it would have saved a lot of time. There is nothing disclosed here that does not show that the man runs a good honest business. But his balance sheet is the best evidence of his virtue.

Mr. NEILL: That is the position, Mr. Chairman, in answer to his statement.

The WITNESS: I do not think the records will show, Mr. Chairman, that either I or my company have assumed any virtue from having paid income tax. These figures were mentioned, and are correct, and can be verified. I would be quite willing to ascertain from your income tax department, if they can give it to me, just how much we paid in each particular year. But as to submitting a balance sheet to be distorted by unfriendly interests, I do not think it is fair; and I do not think your committee is interested in it.

Mr. TOMLINSON: Personally, I do not like that interjection. I do not think any balance sheet would be distorted—by me, anyway.

Mr. TAYLOR: Are you unfriendly?

Mr. NEILL: He did not introduce the balance sheet into his line of argument, but he did introduce the income tax as one of the reasons—

The WITNESS: The reason I mentioned income tax in my statement, Mr. Chairman, was to point out that this company was one of many which are more or less of an asset to the dominion and to the province because they do contribute considerable amounts to the revenue of both forms of government. Obviously if we are put out of business, that revenue will cease. I think it was a correct thing to state how much wages we have dispersed, and how much taxes we have paid to each government. I do not think it is on a footing at all with asking me to disclose my balance sheet to be made public.

Mr. HILL: Mr. Chairman, I cannot see why this man should produce his balance sheet. He is not here asking any favours. He is only asking for the continuation of a privilege they have had for thirty years. If he was coming here to ask for an increased tariff, or a chance to increase and put these traps somewhere where he had not been allowed to put them before, he might very well be asked to disclose his balance sheet, and all this. But he is not one who is asking for favours. He is the one from whom it is being asked that all this be taken away and that this business be wiped out. It is in a different position entirely from somebody coming here asking for a tariff increase. He is asking for the continuation of something that has been done for years. In fact, he is not asking for anything at all. They are asking that it all be taken away from him.

Mr. KINLEY: I cannot agree with Mr. Hill in that regard. This gentleman comes here and says, "Now, gentlemen, I have paid so much income tax to this country," and "I have paid so much wages to labour," which are the opening parts of his balance sheet. Now he is putting parts before us that he thinks will do him benefit, and it looks as though he is trying to keep away parts that might be against him. In his own interest, I would say, "Why not produce your balance sheet and show your operations?" I do not see what it has got to do with this at all myself, but it has been interjected, and we might as well have it right, if we are going to have anything.

Hon. Mr. TOLMIE: I may say I am the president of a limited liability company in British Columbia, and we do not have to produce a balance sheet at all.

Mr. KINLEY: What was that?

Hon. Mr. TOLMIE: I say I am the president of a limited liability company, and we do not have to produce a balance sheet. We do not give anything to the provincial government.

Mr. KINLEY: To the dominion?

Hon. Mr. TOLMIE: Well, to the province.

Mr. REID: If that was coming before a committee of this house, would that same thing apply, if the committee were asking for that balance sheet?

Hon. Mr. TOLMIE: I am not a lawyer. I cannot tell.

Mr. REID: It does not need any lawyer. I will tell you that before the Farm Implement Committee we are taking the companies, limited liability and otherwise, and asking for it.

Mr. MACNEIL: I think Mr. Goodrich is placing himself at a serious disadvantage. He enjoys a virtual monopoly with regard to certain aspects of the fishing in British Columbia. The question we are considering here is to what extent his monopoly jeopardizes the livelihood of large numbers of fisher-

[Mr. Chas. F. Goodrich.]

men. Now that the matter has come up, perhaps a very unjust impression will go abroad with regard to the operations of this company. While I do not suggest we should force him to submit confidential data with regard to the operations of the company of which he is president, I do think, in as much as he derived these profits from an industry upon which the livelihood of so many people depends, that in order to keep good faith with the public he would be well-advised to give us the further data.

Mr. TAYLOR: I think that a fair statement of the case—that is, of Mr. Goodrich's position—is if his business has been so conducted that he can make a profit on it, if he has had such business acumen that he has co-operated with his own competitor in order to increase profits, the man is exemplifying in Canada, and in British Columbia particularly, precisely what the C. C. F. has been standing for—commonwealth co-operation. Mr. Neill represents a group of fishermen in Kyuquot, a co-operative which during the last five years have made tremendous aggregate profits, from practically no beginnings. The situation is on all fours with the work of these people; and judging by the telegrams that have come before this committee, the Kyuquot fishermen are as intent upon destroying this business of the Sooke cannery and the Sooke fisheries as it is possible for them to be. We have got to consider this thing purely on its local merits and subject to its local conditions. And I submit that the profits made by individuals in the business have relatively nothing to do with it.

Mr. HANSON: May I ask the member who has just spoken a question. He says that he is considering it purely from local conditions. May I ask him if he is taking into consideration the fishing population of British Columbia as well. He is just taking in one local place.

Mr. TOMLINSON: His riding.

Mr. HANSON: Yes.

Mr. TAYLOR: If you will permit an explanation, I shall give it. I live upon Bank Street. If I call in at a certain store every morning on my way to the House and purchase a newspaper, I would bring a certain amount of small profit to that store. But if it was a windy morning, a very cold morning, or if it was wet and snowing, I would take the car and that business would lose my custom. Now, this is the fixed and local condition peculiar to the local situation.

Mr. NEILL: Very peculiar.

Mr. TAYLOR: And subject entirely to the movements of the fish, which are relatively the same kind of habits as those of man, but varied in precisely the same way and same conditions as man's habits are varied. I submit that the question of profit does not enter into our consideration. We are here to determine whether these traps at Sooke are not strategically placed, whether they are inhibiting purse seiners, trollers and gill netters from plying their crafts in and around Sooke, whether they interfere with the progress of the fish to the Fraser River, and in what respect they are guilty of establishing conditions which ought to be done away with for the benefit of the fishermen in the northern part of British Columbia and elsewhere.

Mr. MACNEIL: Do I understand the order of reference to mean that this committee is inquiring into the advisability of the government issuing trap fishing licences in the waters of British Columbia—coastal waters?

The CHAIRMAN: That is the reference.

Mr. MACNEIL: And it does not apply only to Sooke.

The CHAIRMAN: That is the reference.

Mr. MACNICOL: I was very much impressed yesterday with the remarks of the honorable member—I forget his name, but I am told it is Mr. Hill from



New Brunswick—when he pointed out that the whole discussion seems to surround the question as to whether this committee will allow the companies represented by the gentleman who is a witness to continue to catch 2 per cent of the fish that go up the straits between British Columbia and the State of Washington. He pointed out very clearly, I thought, that if this committee stops this company from using nets to catch 2 per cent of the fish, or the equivalent of 50,000 fish, that this said 50,000 fish not being obstructed in their course would go across to the American waters, and while going through the American waters our American friends—good luck to them—catch at least  $47\frac{1}{2}$  per cent or approximately 50 per cent of those fish. In other words, of all that are caught, they would catch approximately 50 per cent. Mr. Hill, I believe, estimated that approximately 50 per cent of the said 50,000 fish would have been or should have been caught by the traps, but escaped, due it may be because of no traps being there; that 50 per cent of those 50,000 fish would go on into the Fraser River and that the balance, which is 25,000 would be caught half and half by the American fishermen and by the Fraser River fishermen. In other words, instead of catching 50,000 as we now do by four or five traps, the canneries would catch  $12\frac{1}{2}$  per cent and  $12\frac{1}{2}$  per cent would be wiped out—our American cousins would catch a further 12,500. I cannot grasp the picture at all of our friends who want to prevent the catching of more fish by Canada. They certainly will not catch them if the traps are taken out. They will be caught,—what are caught—by the Americans. Some will be caught by the Canadians. The more they are able to catch, the better I like it. The only thing I have not quite in my mind is: Do the traps reduce the catch in Canada or do they increase the catch in Canada? If they increase it, then I say let us have traps and more traps.

Mr. HANSON: Now you are talking.

Mr. MacNICOL: If they reduce the catch, let us not have traps.

Mr. REID: Mr. Charman . . .

Mr. MacNICOL: I am not through yet. It was pointed out to us very clearly here at several sittings that apparently the fish in returning to the Fraser River reach the Canadian shore at some point there in British Columbia. Apparently the only point they reach—

Mr. RYAN: I speak to a point of order, Mr. Chairman. Would it not be much better to have the evidence by this witness, and then let us debate this question afterwards, when the evidence is finished? If each one is going to make a speech, I don't know when we will get through.

Mr. MacNICOL: I did not hear what was said here. I would like to get myself clear, there has been so much stuff.

Mr. RYAN: It is all in the record.

Mr. MacNICOL: I for one am not in accord with it at all.

Mr. NEILL: May I go on, Mr. Chairman?

Mr. REID: I just want to say a word, as one who has not said very much in this committee. I am not surprised that Mr. MacNicol does not know the situation, living as he does in an interior province. That is to be readily understood. But might I point out that my fight against the traps is based on the principle of "the greatest good for the greatest number". We fought, as best we could, for years to have the traps eliminated, not only from our side but from the American side; and our fishermen in the Fraser River declared—which can be proven by actual record—that when the traps were taken out from the American side, the catch in all varieties of fish up the Fraser River greatly increased; not only sockeye but every line of spring salmon.

Mr. MacNICOL: How many traps had the Americans?

[Mr. Chas. F. Goodrich.]

Mr. REID: The Americans had, roughly, about 119 or 120.

The CHAIRMAN: Two hundred and nineteen.

Mr. REID: In operation.

Mr. MacNICOL: And we have 4 or 5.

Mr. REID: The question is not easily dismissed by saying that when the fish leave one side they will be caught by the traps on the American side, and therefore if that is the case let us have more traps and catch them on the Canadian side. That, of course, I entirely disagree with. The question I would ask the witness—I think it would bring the matter clearly to a head rather than give so much time to it—is: Does it pay the company to operate the traps? I asked them the question what it cost them per fish. He could not answer. I may tell Mr. Goodrich that he is one of the few firms that cannot do that, that cannot answer just what it cost per fish; because the men they have operating the traps have it down very fine. They have the cost of the traps. They know the amount of fish caught each year and they can compute just exactly what the fish has cost them. If he had no trap, he could get all his fish from the boats that pass there. There are boats passing there every day during the fishing season, heading to Vancouver where the fish are canned, right past his cannery.

Mr. MacNICOL: Where were those fish caught?

Mr. REID: Further up in Rivers Inlet; and Mr. Goodrich gets them too. Mr. Goodrich not only gets fish from the traps but he gets fish from Rivers Inlet; it is easy to obtain fish from Rivers Inlet many miles up the coast.

The WITNESS: At the Empire Cannery?

Mr. REID: At one of your canneries.

The WITNESS: I have no other cannery. I have no interest in Rivers Inlet.

Mr. REID: No, I know you have not. I am merely making the statement that you have obtained and do obtain fish caught in Rivers Inlet further up in passing—one of the Todd canneries.

Hon. Mr. Tolmie: At the Skeena River.

Mr. REID: There are canneries which get the fish from Rivers Inlet. There are boats passing the Todd plants right along. We claim if there were no traps there, they could still can fish. But our fight is for the greatest good for the greatest number. We believe that the traps are devastating as far as the fisheries and the fish are concerned. We hope that the day will never arrive when the suggestion put forth a minute ago that we use more traps is adopted. I hope that never comes about. I am rising to protest against any such suggestion as that.

Mr. MOYER: I think the witness is entitled to answer this statement which is made by Mr. Reid.

Mr. NEILL: Yes.

The WITNESS: To those not familiar with the geographical situation in British Columbia, Mr. Reid's statement might certainly carry a very wrong impression. He states that the boats from the Rivers Inlet are continually passing Todd's Cannery. I pointed out to this committee that so far as the question before this committee was concerned in regard to fish traps, it only affects one cannery, and that is the Empire Cannery at Esquimalt, British Columbia. The fact that the firm of J. H. Todd & Son is also interested in northern operations has no bearing whatsoever on the question. Neither do any of the fish from Rivers Inlet pass the Empire Cannery. Mr. Todd's Company—

Mr. MacNICOLL: Mr. Reid said they did.

The WITNESS: He said they passed Todd's plants. But that is the misleading part of it. J. H. Todd & Son is interested in two canneries at Rivers Inlet, one at Skeena River, into which the question of trapnets does not enter at all.

*By Mr. Moyer:*

Q. How far are those canneries from the one you are speaking about?—A. Look at your chart.

Q. Two hundred miles?—A. Four hundred or 500 would be nearer right. They are altogether remote. There is no fish from that district that comes anywhere near. It has nothing to do with it. They are not Fraser River fish. They are all Skeena River or Rivers Inlet.

Mr. NEILL: Mr. Reid didn't say that. He said up the west coast.

Mr. MACNICOLL: As I heard it, they passed this man's cannery.

The WITNESS: I think I visualized rather accurately just what was understood by what Mr. Reid said. I merely wanted to correct that misapprehension. In regard to these figures of our balance sheet, I do not think that I have the slightest reason to believe that the committee would be interested in our balance sheet; nor do I see now any reason to think that they are, as a whole, interested or that it has any bearing upon the question. All that I fear, is the prospect of being held here indefinitely while one of your committee let us say who holds an opposite view to what I hold, thinks of new things to ask that will delay me probably another week. I will be here indefinitely during the entire session, probably.

Now, the question has been asked for an itemized statement of the cost of constructing and operating each one of our fish traps. Each one varies. We have all those figures in detail. They are interesting to us. They are not interesting, as far as I can see, to anybody else. It would take me considerable time to get them; and by the time I had answered this question, undoubtedly other questions would have suggested themselves, so that I could be held here indefinitely. I can only tell you in regard to our profits that we have had profitable years and unprofitable years. I will go this far to illustrate. I think—in fact, I know the most profitable year that my company has enjoyed since its inception was in the year 1919, when the books showed a profit of \$102,000 for that year.

*By Mr. Ryan:*

Q. Net profit?—A. Net profit. Conditions were extraordinarily favourable—weather conditions and everything else. It has never been anywhere near that again. The most unprofitable year we ever had was a loss of \$37,000.

Mr. NEILL: That was about 400 per cent on your capital.

Mr. MACNICOLL: No. Deduct \$37,000 and multiply by 400.

The WITNESS: The most unprofitable year we ever had was \$37,000. Out of the \$102,000 we made that year, I remember that we paid to the Dominion government the sum of \$24,600 as their share of the profits. The amount that we paid to the provincial government I am unable to remember. It was a considerable amount but not so large as to the Dominion government. But the total that I have given you was carefully compiled from our books. I do not think that any figures that I could give you would afford any more information than what I have given you.

Mr. NEILL: If it would expedite matters I would waive my demand for the balance sheet, in order to let us get on.

The WITNESS: Thank you.

Mr. NEILL: I would also waive—for the sake of getting on, because I am as anxious to get on as Mr. Goodrich is—the demand for his itemized income tax. I am satisfied to have it go on record that he has stated to the committee under oath that he has paid the dominion government in 18 years—his own particular company, the Sooke Company—over \$72,000 in income tax on the business, on the profits of the business; not the profits, but the income on the profits of

[Mr. Chas. F. Goodrich.]



the business, although he has not got an operating cannery, he has not got an operating fish plant and only has an interest in these traps and in the pile drivers and a couple of boats. Having waived that, I still think Mr. Goodrich, in the next day or two, should be able not to give, as he suggests, an itemized detail of each trap, but in his long experience over 20 years, putting in 4 or 5 traps every year, he certainly ought to be able to give us a fair approximation of the cost of putting in an average trap, and not leave a gap of between \$14,000 and \$20,000. That is all I am going to say about that.

Mr. KINLEY: Mr. Goodrich, you must surely remember. As a business man, you know what you carry forward as profit and loss in the statement of the company. It is the important part of the statement over many years, the profit and loss.

The WITNESS: I cannot see that it has any bearing.

Mr. KINLEY: I have an open mind on this thing. I am looking for information. But as a business man, I cannot understand a business man who knows his business and has made that much money, who does not know more of his business or of his company. Take the 2 per cent that these gentlemen spoke about. Do not forget that 41 men are getting 2 per cent of the salmon going to the British Columbia men.

Mr. GREEN: In the Fraser River.

Mr. KINLEY: Yes. Do not forget this elementary fact, that this gentleman is getting cheaper fish than he could buy from the nets, from the fishermen. He is a business man. He is put in an advantageous position both in regard to his competition when he sells his goods and he is put in an advantageous position that he can produce his own fish instead of buying them from the primary producer. Those are elementary questions that I think have a bearing on the subject.

*By the Chairman:*

Q. Just one question to clear up this question of the income tax or profit and loss. Could you state to the committee approximately how many years you had a loss and how many years you had a profit out of the 18?—A. I cannot, off-hand. I know that last year we had a loss.

*By Mr. MacNeil:*

Q. Last year?—A. 1936, yes.

*By Mr. Pottier:*

Q. Have you any idea what that was, approximately?—A. Oh, it was not a large loss, but it was a loss. It was only a few thousand dollars. I think the books showed somewhere under a \$5,000 loss last year. The weather conditions were not good last year and the catch was not good. You have those figures before you, I think.

*By Mr. MacNeil:*

Q. I understood the catch was larger in 1936 than in 1935?—A. Not with us.

The CHAIRMAN: If Mr. Neill is satisfied with that phase of the question, all right.

Mr. NEILL: I think he ought to try and take an average, the cost of an average trap, in his long experience. We won't tie him down to a dollar or ten dollars or one hundred dollars.

The WITNESS: I have given you the average cost of the shortest trap we have and the average cost of the longest trap that we have. That is what I am trying to point out. It is not the same trap that varies from \$14,000 to \$20,000.

Mr. NEILL: He has given different statements and we do not quite understand them. He has mixed up capital expense and put into it running expense. He will charge up the cost of their oil used in the engine. If he would put it in writing, we would have something to look at and he would do it much better. His experience would enable him to do it approximately. We are not going to tie him down to ten dollars or one hundred dollars or one thousand dollars. But \$14,000 to \$20,000 is too big a gap. We have given way about the income tax, Mr. Goodrich. We have given way about the balance sheet. Now, be fair with us.

The WITNESS: I would be quite willing to do that. Apparently you do not understand me or you do not correctly quote me, Mr. Neill.

*By Mr. Ryan:*

Q. Well, be fair about it to yourself, witness. Mr. Neill has made a statement which presents a picture to us as to your operations in the last 18 years, which shows that you paid annually something like about \$7,000 a year in income tax?—A. Yes.

Q. Are you prepared to stay on record just that way?—A. I am prepared—

Mr. NEILL: \$72,000 in 18 years.

*By Mr. Ryan:*

Q. \$72,000. I only ask that in fairness to yourself.—A. Am I prepared to what?

Q. To let it stand that way as a correct picture of your operations in the last 18 years?—A. That is the average amount we have paid in taxes, yes.

Q. You do not want to add to that and say, "Well, there were certain years when we did incur losses, and the income tax department does not give us a rebate."—A. I have offered that, of course.

Q. That is only generally, though. We have no figures about that.

Mr. TOMLINSON: I think the witness would be in a better position if he gave us the actual figures.

Mr. RYAN: I am not concerned about the business.

*By Mr. Kinley:*

Q. In your own interest, Mr. Goodrich—you as a business man came from British Columbia here to a committee without a balance sheet of your company in your portfolio?—A. Absolutely. I did not expect—

Q. You know you are not fair to yourself on this thing, I am afraid. I do not see anything wrong with your business.

Mr. NEILL: I wish I had an interest in it.

The WITNESS: You can have a 100 per cent interest.

Mr. NEILL: Would it be retroactive? I would like to come in on that \$72,000.

*By Mr. Neill:*

Q. Let us go on with the break-up of the amount paid to the province which the witness says at page 39, down at the foot of the page, was made up of licences, foreshore rental, real estate, etc. How much would be licences? Give me last year, if you like—the licences to the province?—A. To the province? The licences are \$100 a year per trap.

Q. Each?—A. Yes.

Q. That would be 3 at \$100?—A. Yes.

Q. And foreshore rights?—A. \$100.

Q. For how many?—A. Each.

[Mr. Chas. F. Goodrich.]

Q. Three at \$100?—A. Yes.

Q. And I think you said there was some tax on the foreshore?—A. Yes. \$12.50 each.

Q. Then you mentioned real estate?—A. Yes.

Q. What did you pay the government for real estate—the provincial government?—A. I don't remember those figures, Mr. Neill. It was not a large amount.

Q. Did you mean tax—real estate tax?—A. Yes, real estate tax.

Q. That would cost what, do you think—\$20?—A. No. Between \$100 and \$200, I should think probably.

Q. Say \$200. There is \$200 and \$300 and \$300 and \$12.50. That is \$1,000. But you paid out in 18 years \$65,000?—A. Well, that would be an average of about \$4,000 a year.

Q. \$65,000 to the province in 18 years?—A. That would be an average of something less than \$4,000.

Q. Yes, about \$3,500.—A. The rest would be income tax.

Q. Income tax to the province?—A. Yes, I suppose so.

Q. You did not say that?—A. I believe that is stated there.

MR. MOYER: Yesterday the witness said in addition to the items you have just mentioned, Mr. Neill, "We pay so much licence to the provincial government for any fish that are caught." What would that be, Mr. Goodrich?

THE WITNESS: That would not be a large amount. That would not be right from the document that Mr. Neill is reading from. My statement reads: "And to the provincial government for licences, foreshore rental, real estate and income tax."

*By Mr. Neill:*

Q. It is not in your evidence here?—A. Oh, I could not say as to that.

Q. Well, it is not.—A. I may have omitted that word. I am not sure.

Q. I accept your statement.—A. All right.

Q. The balance of the figures you have given me would be income tax to the province?—A. Quite.

Q. Quite so. I wanted to ask the witness about this statement. Your catch last year was 103,300 odd fish, and your company get half of that; that would be 52,000 fish. According to the figures that you have given us, and which you have confirmed, you pay to the two governments alone for the purposes that you have named the sum of \$7,773 odd a year. On that amount of fish for last year it would cost you about 14 cents a fish. I submit, sir, that you have overstated your case, because you cannot buy the ordinary run of fish and pay 14 cents apiece for government taxes and all your other expenses as well, and make any profit at all.

HON. MR. TOLMIE: He lost that year.

MR. NEILL: He did not lose that much—15 cents to the government, then have to catch his fish and can them and process them. The thing is ridiculous on the face of it. I put it to Mr. Goodrich himself. He has not got his figures right. The man that drew his brief got it jumbled up.

THE WITNESS: I drew my brief myself.

*By Mr. Neill:*

Q. Didn't Mr. McFarland have something to do with it?—A. No.

Q. He drew the Todd one, because his name is on it.

MR. REID: If Mr. Goodrich could tell us what it cost per fish over a period of years, we would get a clear picture of the operation of the company.

[Mr. Chas. F. Goodrich.]



THE WITNESS: Mr. Chairman, I could not do that; and it would not mean a blessed thing in the world to the committee if I did compute it, any more than it would be to say what is the average cost of a building in the city of Ottawa. It has been quoted here, or attempted to be quoted—I did not check him up—the number of fish that were caught last year. Those fish vary in value very tremendously. Some are spring salmon that may be worth—I will let Mr. Neill make an estimate of the spring salmon, if he will.

MR. NEILL: You are the witness. I would say 4 cents a pound, at the most, for white.

THE WITNESS: Yes; and probably 10 cents a pound. They may be worth all the way from \$2 to \$2.50 apiece to about 5 cents apiece for the pinks, if any. You have your statements, and I have here a complete statement of the catch. I would be willing to give you the total number of the fish of each variety for every year, if the committee is interested in spending that amount of time.

MR. NEIL: Put it on the file.

MR. HANSON: Mr. Chairman, I do not think Mr. Goodrich has given the committee just the right thing on this, because he cannot tell how much the fish have cost him each year. Now, I do not operate by own cannery, but I have a man that operates the cannery, and I can give any committee or any individual how much sockeye salmon cost us, exactly how much spring salmon cost us and exactly how much chums, humpbacks and dog cost us. While he has told us he cannot give us an estimate or cannot give the cost of each variety of fish, I do not think that is quite the right information, because as I said, I am interested in a cannery and I can give you that at any time.

THE WITNESS: Mr. Chairman, I will try to get this picture before the committee. Notwithstanding the intimation, I am not trying to evade or refuse to answer any question that it is within my power to answer. Mr. Hanson, in the case of his cannery, purchases all his fish. He pays a certain price for pinks. He pays a certain price for sockeyes, and he pays a certain price for any other variety that he buys—silvers and so on.

MR. HANSON: Correct.

THE WITNESS: If you were operating a line of traps, and canning those fish yourself, you catch all varieties. You take your total cost of your operations, and when you attempt to divide that cost you do not buy your fish from the fishermen at so much a fish. You pay them all on the basis of monthly wages. Now then, just how you go to work when you have got all those varieties of fish that you take in your trap, some of them worth 5 cents apiece and some of them worth \$2.50, and compute how much a fish they have cost you—it would not mean anything. You never do compute it that way. You credit your operations in your loss and gain account, with whatever fish goes into your cannery. You charge your canned salmon account with those fish at what you estimate to be the market price, and your credit your entire traps with the number of fish that they deliver. Then your strike your balance and determine whether you have made a loss or gain.

*By Mr. Neill:*

Q. You know the cost of catching the fish—catching one fish in your trap?—A. No, I don't.

*By Mr. Kinley:*

Q. You have a statement in your hand. In your most profitable year, how many fish did you catch?—A. My figures do not go back that far. They only go from 1922.

[Mr. Chas. F. Goodrich.]

Q. How many fish do you think you caught?—What is your average there? How many do you catch a year—50,000, 60,000, 70,000?—A. I know we had a very large catch of springs that year, a very good catch of sockeyes and a very good catch of pinks. But the total number of fish—I have not got that.

Q. Approximately, how many?

*By Mr. Neill:*

Q. Is it not there?—A. No, it is not.

*By Mr. Kinley:*

Q. Did you catch 100,000?—A. Oh, yes.

Q. In a year?—A. Yes.

Q. Would 100,000 be enough?—A. No, that would not be enough. We must have had considerably over 100,000.

Q. Say 150,000?—A. We should have had considerably over 200,000 that year.

Q. The most profitable year?—A. Yes.

*By the Chairman:*

Q. That is 1919 that you are referring to?—A. 1919.

*By Mr. Kinley:*

Q. That is what you call a very good year, an exceptionnally good year?—A. Yes.

Q. You stated to the committee there were profits that particular year of \$102,000?—A. Yes.

Q. Your net profits?—A. Yes.

Q. That is you had?—A. I might qualify that to this extent: In the following year we discovered that some of the profits were not profits, because there was a shrinkage in the value of some of our canned salmon. That was according to our books.

Q. You showed profit of 60 cents a salmon that year. You showed net profits of 60 cents a salmon, or between 50 or 60 cents a salmon?—A. Right.

Q. That is very illuminating to me, because I was figuring up the price from the market value.

Mr. TAYLOR: You mean 6 cents a salmon.

Mr. KINLEY: No. 200,000 salmon and \$102,000. I have been figuring up the British Columbia catch, and the market value, and it figures up at about 7 cents.

Mr. REID: I do not want to interrupt, but I think he has a pretty good profit on the whole operation.

Mr. KINLEY: On the operation; but did that originate in the salmon catch? There is no question in that.

Mr. REID: I think \$100,000 is pretty good.

The WITNESS: There were some other sources of revenue.

*By Mr. Kinley:*

Q. There was manufacturing, too. It seems to me that when the two do not jibe, your balance sheet would certainly disclose that?—A. I would have to have the balance sheet for the last twenty years.

Q. You gave your profits for that year. You told the committee what your profits were.

Mr. REID: Might I make one statement regarding Mr. Goodrich when he states that he contracted a net profit but not knowing the cost of the salmon.

[Mr. Chas. F. Goodrich.]

I think the committee should get the detail of that, especially for Mr. MacNicol who spoke. We speak about United States traps. United States use traps greatly, and they also use seine boats. They have the system down very fine, because they know exactly what they pay the seine boats, although they have an interest in the traps. Very often in many years they set the price higher than the Canadian price. I have known years when we were paying 50 cents for sockeye; the same sockeye caught by the seine boats were being bought by the Americans, paying 65 to 70 cents a fish for the same thing. I think any one who has gone into it knows that these men would not pay 60 or 65 cents a fish if they were able to catch them or get them very much cheaper. That is one of the reasons I asked Mr. Goodrich to tell us what the fish cost him caught by the trap. Otherwise, if fish could be caught in the trap we will say for 25 cents apiece, then of course the industry could make more profit by doing away with this payment to the gill net fisherman of twenty cents.

**THE WITNESS:** That question would have been much easier to answer—you recognize that—if it had referred to one of the, let us say Ketchikan, Alaska, traps. They really handle or take one variety of fish. But where you are in a district where you catch different varieties of salmon, to say how much a fish costs—

**MR. NEILL:** Why not? Never mind the variety. How much does each fish cost you to catch? Then you can whack it up among the different varieties.

*By Mr. Reid:*

**Q.** Is it not a fact that the cannery men meet every year in the city of Vancouver or somewhere else and decide upon the price they are going to pay for a certain variety of fish; and in those discussions you as a trap owner, or your firm would be represented when the price was being discussed, so that you must have some idea of what the fish cost you or you could not agree to a certain price being given to the fishermen?—**A.** If I have all our books at the office, I could arrive probably at it. There would be no difficulty at all to arrive at a price per fish. But it would not tell you one blessed thing if we do arrive at it.

*By Mr. Telford:*

**Q.** Where the fish are bought, are they bought by the fish or by the pound?—**A.** Where they are bought, if it is the case of spring salmon, they are bought on the market at so much a pound, usually. In the case of other varieties of fish they have usually been bought at so much per fish, a different price for sockeye, a different price for cohoes, a different price for pinks, and a different price for dogs. It has been advocated very lately that they do adopt a system of buying sockeye as well by the pound, but that has not come into practice as yet.

**Q.** Do these fish vary much in size, your sockeye? Are they a pretty average size?—**A.** The sockeyes from one district all run very much the same size. The sockeyes of one district differ from the sockeyes of another district in size some.

**MR. REID:** Suppose when you meet to set the price, if for some reason this cannery meeting decided to pay 75 cents a fish for sockeye, you as a trap owner would be in a position to say, "Gentlemen, I cannot operate my trap because it is costing me so much per fish, and I will have to close down." I still think it is very important to the argument that we should have some idea just what the fish is costing.

**MR. MACNICOL:** What has that got to do with the traps? Is not the question before us whether we are going to allow this company to operate four or five traps to catch two per cent of the fish?

[Mr. Chas. F. Goodrich.]



Mr. REID: I cannot help Mr. MacNicol if he cannot see the force of the argument. But it is material, I think. I cannot help his interpretation of my remarks.

Mr. TAYLOR: It is exactly on all fours with the argument in the house yesterday that every man, woman and child in Canada was saddled with a mortgage of \$1,000. Of course, it is all right for talk; but as a matter of actual fact, it is those that pay that are saddled with the mortgage. And this situation is precisely the same. If a trap catches 101 varieties of fish, how is it possible to assess the price of one fish which is 20 times the size of another?

The CHAIRMAN: I suppose if the gentleman had the number of fish caught and the total cost of catching them, it would be quite easy to arrive at the cost per fish. Mr. Kinley referred to that in a question to Mr. Goodrich, and Mr. Goodrich suggested that they caught 200,000. I suppose you mean sockeye alone.

*By the Chairman:*

Q. Were you referring to sockeye?—A. No. I was not.

Mr. KINLEY: 200,000 salmon, he said.

The WITNESS: Remember that you are asking me about something that happened eighteen years ago.

The CHAIRMAN: Yes, I know.

The WITNESS: And every year differs from another year; and not only that, but at that time the Sooke Harbour Fishing Company operated only its own traps. I don't remember all the items of profit. I know that part of the profit was that we had some boats which we were not using and we chartered those boats out, and that branch of our business was profitable. What all the other sources of profits were, I cannot possibly remember at this time.

The CHAIRMAN: I think the whole question, gentlemen, resolves itself into this: Has this company got a monopoly of this business there to the detriment of the average fisherman? I think this boils down to that. Our friends advocating the abolition of traps think that it will be in the interests of the average fishermen if the traps were done away with, and that the usual fishing practice be followed, and that this cannery would buy their fish direct from the fishermen.

Mr. REID: Is there not another principle at Sooke? I want to get clear on what we are discussing. I know that particularly we are discussing Sooke traps; but I rather understood at the first meeting we found that we were not only discussing the Sooke traps but we were also discussing the question of traps generally throughout British Columbia. There is a principle at stake as well as just the Sooke traps. I may be wrong, and I stand to be corrected if I am, but that was the impression that I took.

The CHAIRMAN: I think you are right. I think we are discussing the whole question of the use of similar traps throughout British Columbia waters.

Mr. REID: Yes. I rather thought I was right. And it therefore becomes very important subject matter.

The CHAIRMAN: I think every gentleman in the committee, even the British Columbia men, will agree that it would not be a good thing to allow these traps to be operated everywhere in British Columbia waters.

Mr. TAYLOR: That is my point exactly, Mr. Chairman. I do not want to see the traps in operation under this system. I have gone very carefully into this matter over several months. My first reaction to the question of traps at Sooke was "Get rid of them." But it was not very long before I began investigating; and as a result of those investigations I have come definitely to the conclusion that this is a unique situation and must be treated entirely on

its own particular merits. The Sooke traps are placed in a strategic position. They are fixed. They can only catch such fish as pass within their limits. The fish will not be affected one way or the other by the suspension—

Mr. HILL: Would not the same be true of traps anywhere?

Mr. TAYLOR: It would be, of course; quite. But the situation elsewhere is not relative to the Fraser River. These fish proceed to the Fraser River and are intercepted at certain points on their travels, which may run to a thousand miles before they reach the particular point where they spawn. In view of all that, I placed a resolution before this committee yesterday, which Mr. Neill showed me was not quite historically accurate; and I beg leave first to substitute for that motion placed before this committee a motion which I have now made historically correct. And I do that, with the permission of Mr. Hill, the seconder.

Mr. NEILL: It is not the time to move motions. We have not come to the stage of debating our report yet. We are still questioning the witness; and I object to any motion being introduced in the middle of the questioning of the witness.

Mr. TAYLOR: Well, I am going on what the chairman said, we must now determine this question.

Mr. NEILL: I had not finished cross-questioning the witness.

Mr. TAYLOR: All right. Mr. Chairman, I bow to your ruling. If it is not the time, my resolution will stand before the meeting.

The CHAIRMAN: If the resolution means a decision for or against traps, I think we should hear all the evidence before the resolution is presented.

Mr. REID: I move that we adjourn.

Mr. KINLEY: I want to say that when this resolution is presented to the committee, I have an amendment I wish to present—when this resolution is presented.

The CHAIRMAN: You will have an opportunity of doing so.

Mr. KINLEY: If I do not happen to be here, I hope it does not go through.

The CHAIRMAN: You will have an opportunity of presenting your amendment.

Mr. HANSON: I wish to say a few words in regard to our friend Mr. Taylor's remark that this area on the south of Vancouver Island is unique in British Columbia. I am sorry he is not better informed about the question of fisheries themselves and fishing locations in British Columbia, than he has expressed himself here. We have similar conditions over in my riding outside of Prince Rupert at Wales Island. If I am wrong, I will have Mr. Found here and Mr. Whitmore correct me. The Americans have traps on Alaskan side; and we have been trying—or the fish canning companies of British Columbia have been trying, in 1924, 1928, and 1929, to get fish traps right opposite the Americans in this same, or practically the same kind of position as on the Strait of Juan de Fuca on the south of Vancouver. Dicksons Entrance or outside of Wales Island is absolutely in the same condition; and if these are going to be maintained where they are now, to the detriment of the Canadian fishermen, not helping the industry as far as I can see, then I say we should have a similar situation applying opposite the Alaska coast, and we should have them up there too. So when you suggest that the only place in British Columbia that has that unique condition, I want to correct that, because we have the same thing outside of Alaska.

Mr. TAYLOR: Do not misquote me, Mr. Hanson. It is the only situation existing at the present time. The traps are in position and have been in position for thirty odd years.

Mr. HANSON: Yes.

[Mr. Chas. F. Goodrich.]

Mr. TAYLOR: If there are any other situations, then they should be brought here and considered on their own merits.

Mr. HANSON: I have tried.

Mr. KINLEY: Before we adjourn, I want to make one other point. I understood from this committee that the Americans have prohibited trap net fishing on their side. Is that true?

The CHAIRMAN: That is true.

Mr. KINLEY: And that has been so for two years?

Mr. NEILL: Yes.

Mr. GREEN: They have a law now in force in Washington.

Mr. NEILL: It has been for two years.

Mr. HILL: Might I suggest to the committee that we go on, continue and finish the evidence without any further speeches. We finish the evidence, we can have a sitting open to discussion of the matter on both sides.

Some hon. MEMBERS: Hear, hear.

Mr. HILL: I would suggest we finish with this witness and let him go home.

Mr. NEILL: Hear, hear.

Mr. REID: I second the motion.

The CHAIRMAN: Is it the wish of the committee to meet on Monday?

Mr. MACNEIL: Carried.

Mr. KINLEY: I think this gentleman has come a long way, and we should try to let him get away as early as possible.

The CHAIRMAN: I would be willing to meet to-morrow, but I do not think it would be possible to meet to-morrow.

Mr. NEILL: You would not get a quorum.

The CHAIRMAN: I do not think you would get a quorum to-morrow. Se we will make it Monday at eleven o'clock.

The committee adjourned at 1 p.m. to meet again on Monday, February 22, at 11 a.m.





107. Doc  
221  
2024  
M

Canada, Marine and Fisheries, Fisheries  
Committee on, 1937

SESSION 1937

HOUSE OF COMMONS

CH 11 XG 17  
-M12

(STANDING COMMITTEE)



ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 5

MONDAY, FEBRUARY 22, 1937

WITNESS:

Mr. Chas. F. Goodrich, President, Sooke Harbour Fishing and Packing  
Company Limited, Sooke Harbour, British Columbia.

OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1937





# MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

COMMITTEE ROOM 429,

MONDAY, February 22, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock a.m. this day, Mr. MacLean (*Prince*), Chairman, presided.

*Members of the Committee present, Messieurs:* Cameron (*Cape Breton North-Victoria*), Green, Hanson, Kinley, Lapointe (*Matapedia*), MacLean (*Prince*), MacNeil, MacNicol, McDonald (*Souris*), Neill, Pottier, Reid, Ryan, Stirling, Taylor (*Nanaimo*), Tolmie, Tomlinson, Veniot, and Ward—19.

*Present as witness:* Mr. Chas. F. Goodrich, President, Sooke Harbour Fishing and Packing Company Limited, Sooke Harbour, B.C.

*Also present:*

Mr. L. Clare Moyer, K.C., Barrister of Ottawa, counsel for the company.

Dr. Wm. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

Mr. Taylor (*Nanaimo*), with the consent of the Committee, made corrections in connection with remarks he had made during the course of the meeting on Thursday, February 18, stating that he had been incorrectly reported and desired to correct certain obvious errors, as follows:—

Page 69, in remarks by Mr. Taylor, beginning after the words "each other" in the 13th line thereof, the sentence should read: "and I as a socialist would like to see traps and floating canneries and purse seines; and *allow the* gill-netters, who stay out in the waters week after week and suffer all kinds of privations, *to go home.*"

Page 69, in second paragraph from bottom of page, by Mr. Taylor, the last sentence thereof should read: "But if they do come back it *would not* be because British Columbia has five traps at Sooke."

Page 70, remarks by Mr. Taylor at top of page, in second line thereof the word "in" should be the word "around," the sentence to read: "I grant you that, but that sense is limited to their own-conditions *around* their own parish pump."

Page 70, same paragraph, last two sentences should read: "Now, that being the case we are using *the only* means of catching fish *there* and not keeping people out of the fishing business who would not otherwise be so kept; consequently, the situation has no interest in the case of people outside of the Sooke traps *area.*"

Mr. Chas. F. Goodrich recalled.

Counsel for the witness stated that in response to suggestions by Mr. Neill and other members of the Committee, the witness had secured through the facilities of the telegraph and telephone further information along the lines suggested and was now prepared to submit same to the Committee, and answer any further questions.

The witness submitted a detailed statement, and was further questioned by Mr. Neill and other members of the Committee.

Examination of witness continued to one o'clock. Counsel stated that with the additional information furnished the witness had hoped that the Committee might finish its inquiry with the present sitting and allow him to get back to his business, but after considerable discussion as to further witnesses, and the need for further consideration of the evidence just supplied by the witness, it was decided that the matter before the Committee be further considered.

It was agreed to meet again to-morrow—Tuesday—at 11 o'clock a.m.

By general consent the Committee adjourned.

E. L. MORRIS,  
*Clerk of the Committee.*

## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

Room 429,

February 22, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock, Mr. A. E. MacLean, the chairman presided.

The CHAIRMAN: Now, gentlemen, I see we have a quorum, and I notice there is one gentleman on his feet already.

Mr. TAYLOR: I would like to get this off my mind. In reading the report of our meeting on Thursday I find some very obvious errors in the transcription of what I said, and I have handed particulars to the clerk so that they may be embodied, with the permission of the committee, in to-day's proceedings.

The CHAIRMAN: I see no objection to having these alterations made in the record if the committee agrees.

Mr. NEILL: Carried. (*See Minutes of Proceedings.*)

The CHAIRMAN: Now, when we adjourned the other day Mr. Neill had been questioning the witness, Mr. Goodrich, regarding the financial statement, balance sheet and so forth, and Mr. Goodrich promised at that meeting that he would endeavour to get what information he could prepare this morning and submit it to the committee. Are you prepared to go on with that this morning, Mr. Goodrich?

Mr. MOYER: Perhaps I might say a word. When the committee rose on Friday last, the feeling of the members appeared to be that efforts should be made this morning to conclude the evidence of Mr. Goodrich. I think that can be done without any trouble. During the week end Mr. Goodrich has been in touch with his office both by telephone and telegraph and has now in hand, I think, most of the information that Mr. Neill would like to have before the committee. In order to simplify and to make the record as accurate as possible on the points which we are endeavouring to cover, Mr. Goodrich has prepared a statement which he would like to read now and which, of course, would be open to cross-examination by the committee. However, I think it would give the committee a fair idea of what the information is if they would allow Mr. Goodrich to read the statement through. It will not take long. As I say, it covers most of the questions still at issue.

The questions which the statement will cover are roughly as follows:—

- “1. What was the financial status of the company as shown on January first last?
2. What is the average cost of a trap ready to operate?
3. What is the total service time?
4. What is the value of the assets which would be affected by abolition of trap net fishing in the Sooke area?
5. What is the definite cost of a fish when computed on a per fish basis?”

That is to say, how much does it cost to catch a fish.

Mr. NEILL: On what basis?

Mr. MOYER: On a per fish basis.

- “6. What is the actual pay roll of the company?

7. How many fish has the company been selling fresh?”



I think it would save time and probably be more satisfactory if Mr. Goodrich were allowed to read what he has prepared. I am sorry we have not copies of this statement—he has been working on it up to the last moment and it is in patchwork form—but the material is there and I think it will be of interest.

The CHAIRMAN: I think, gentlemen, that is a reasonable request; and with permission we will allow Mr. Goodrich to put this statement on the record in continuity, and then discussion can take place afterwards.

CHARLES F. GOODRICH, recalled.

The WITNESS: Mr. Chairman, I have noted here that since the week-end, as Mr. Moyer has stated, I have been in telegraphic communication with my office, and I think I now have all the information which has been asked of me. In order to make this information as authentic as possible I requested my office to have the figures verified and wired by the well known firm of chartered accountants Ismay, Boiston, Holden & Co., of Victoria, which has been done, and I will now read the information and offer it for your files. This wire is dated at Victoria, B.C., February 20th and is addressed to me:—

“In accordance with instructions we have examined records of Sooke Harbour Fishing and Packing Company Limited from 1918 to 1935 and find Dominion income tax paid \$63,053.72; provincial income tax \$48,439.47 licences leases and property taxes \$29,154.21 total \$140,647.40 stop confirmation by air mail stop December thirty first last capital paid up \$24,800 surplus \$76,517.45 stop total cost five traps 1935, \$74,400.26 boats and scows \$10,107.24 web \$16,743.40 piles \$1,583 store room \$2,306.54 driver \$11,905.60 puller \$2,371.94 trap expense \$29,382.54 stop total cost four traps 1936 \$64,377.26 boats and scows \$7,898.32 web \$13,899.58 piles \$951.48 store room \$1,607.44 driver \$10,086.50 puller \$1,294.96 trap expense \$28,638.98 stop wages included in above figures total payrolls 1935 \$56,512.11 1936 \$51,557.33 stop 1935 expensive trap \$19,232.42 cheapest \$9,820.82 stop 1936 expensive \$24,443.86 cheapest \$11,268.46.”

With regard to expensive traps, I asked for information for each year as to the most expensive trap and the cheapest trap so as to give the committee the information I understood they wanted. When he says “expensive trap” he means most expensive trap.

That is signed by Ismay, Boiston, Holden & Company, Chartered Accountants. Mr. Chairman, this telegram is submitted for your file.

*By Mr. Kinley:—*

Q. Would you read the first part of that again. I did not get the first of it.—A. I will read until you stop me: In accordance with instructions, we have examined the records of the Sooke Harbour Fishing and Packing Company Limited from 1918 to 1935, and find—

Q. From 1918 to 1935?—A. Yes.

Q. Therefore that surplus of \$70,000 odd is an accumulated surplus over that period, is it?—A. Yes.

Q. That is not yearly; that should be cumulative?—A. Oh, no; that is cumulative.

Q. All right.—A. Apparently the chartered accountants in tabulating this 18 years business show a slightly larger sum paid as taxes to the dominion and provincial governments than I stated in my brief, the total of taxes having been quoted by me as \$139,000 odd while the chartered accountants give the figure as slightly over \$140,000 odd. The difference is not large enough to be material, and very likely arises from the fact that in certain years we were found to be

[Mr. Chas. F. Goodrich.]

over assessed and in later years a refund was made, which refund was taken into account by me in computing the figures—a difference of about \$1,000 out of \$140,000, as to the amount of taxes we paid. With reference to the matter of income tax, I believe that I have already called to the attention of the committee the fact that in 1919 we encountered a combination of fishing and business conditions which was unprecedented and is not likely to ever occur again in the fishing business. There was in that year an abundance of fish, and postwar market conditions, which resulted in a profit to this company of \$102,868.55. The following year 1920, was under very different conditions, and the profit for that year was \$3,784.47. The total for the two years was \$106,653.02. The next year, 1921, being probably the worst fishing year we ever encountered, we sustained a loss of \$36,915.43, leaving a gross operating profit for the three years mentioned, 1919, 1920 and 1921, before deduction of taxes, of \$69,737.59. The dominion tax on the 1919 income was \$24,621.64. The provincial tax on the same income, was \$9,520.29 and the dominion tax on the meagre profits of 1920, \$200; a total tax on the three years income of \$34,341.93, leaving a net operating profit for the 3 years, after taxes had been paid, of \$35,395.66, or an average net profit for each of the 3 years mentioned, of \$11,798.55.

The following tabulation will, it is hoped, answer your request for a statement showing the cost per fish in the years 1935 and 1936. You will note that the cost per fish in 1935 was 13½ cents and in 1936, 62½ cents. Kindly bear in mind that I am not offering this information on my own initiative with the idea that it has any bearing upon the question, but in response to the urgent request of members of the committee who felt that this information was of some importance. The statement of total cost and catch is as follows:—

Year	No. Traps	Total Cost	Total Fish Caught	Cost per Fish
1935. . . . .	5	\$74,400 26	546,307	13½c.
1936. . . . .	4	\$64,377 26	103,233	62½c.

The explanation to one familiar with fishing conditions is obvious. The cheapest grade of salmon, pink salmon, only runs in this district in the odd-numbered years. In 1935—a pink year—we caught nearly 400,000 of these fish worth about 5 cents per fish. The large number of these naturally reduced the per fish cost of production.

The detailed statement of the cost of the five traps operated in 1935 and the four traps operated in 1936, segregated as between the various controlling accounts carried on our books, is offered for your consideration in accordance with the request made by Mr. Neill on Friday last. From these statements you will note that: The average cost in 1935 was \$14,880.05.

*By Mr. Neill:*

Q. The average cost of what?—A. The average cost of the construction and operation of a fish trap.

Q. \$14,000, did you say?—A. \$14,880.05.

The average cost in 1935 was. . . . .	\$ 14,880 05
The most expensive trap being. . . . .	19,232 42
and the cheapest trap. . . . .	9,820 82
Of the four traps operated in 1936,	
the average cost was. . . . .	16,094 32
the most expensive for that year being. . . . .	24,443 86
and the cheapest trap. . . . .	11,268 46

You will note from these figures that the cheapest trap operated in 1935 cost some \$4,180 less than the minimum amount named by me some days ago when I was speaking from memory. In explanation of this, I will say that the item of piles, for illustration, has been on paper abnormally low during the past

two years. The reason of this is obvious. Our investment in piles is very heavy and our stock would normally and should be substantially replenished from year to year. On account of the threat which has been hanging over us of adverse legislation, we have, perhaps imprudently, purchased far less than the normal amount of new piling and have been dissipating our reserves as regards stock on hand, which we have now replenished this year. Necessarily and consequently an abnormally high cost of piling will probably reflect itself in our 1937 statements.

In case that the committee would be interested in still further details of the average cost, I will submit for your consideration the following tabulation.

Trap No. 1—

Q. The name, please, Mr. Goodrich?—A. I have just indicated them by number, as they come in order on the map there.

Q. Do they not have a name?—A. Yes.

Q. Give me the names, if you will. You know them quite well.—A. Sheringham.

Q. Sheringham?—A. Yes, \$18,894.47.

Mr. MOYER: You did not mention the year.

The WITNESS: No. I am sorry. Number of years taken—that would be the second column.

*By Mr. Neill:*

Q. The number of years taken how?—A. Taken in computing the average over a period of a certain number of years. I will give you the number of years that I have used—eight.

Q. Eight?—A. Eight. Average cost, \$18,894.47.

Q. That is the cost?—A. Yes, the average cost.

Q. Of construction and operation?—A. Yes, over an eight year period. Trap No. 2, 9 years taken, or an average of—

Q. What is the name of that?—A. Muir Creek.

Q. How do you spell it?—A. M-u-i-r. It is the same name as heads your petition, a man who has been in the employ of the company for 32 years—an old pioneer family.

Q. Muir?—A. Yes, Muir. You know the family.

Q. Yes, I know them. Is he foreman?—A. No.

Q. How many years did you say?—A. Nine years, Muir Creek, average cost, \$19,542.57. Number 3, 13 years—

Q. What is the name of that one?—A. Gordon.

Q. Gordon?—A. Yes. \$19,468.47. Number 4—

Q. The Name?—A. Number 4 would be Otter Point.

Q. Yes?—A. \$16,000—

Mr. MOYER: No.

*By Mr. Neill:*

Q. How many years?—A. I am sorry. Sixteen years, average \$15,888.25. Number 5, East Sooke, \$16—

Mr. MOYER: The number of years?

The WITNESS: Thirteen years.

*By Mr. Neill:*

Q. Fifteen, did you say?—A. Thirteen years, \$16,377.81. Number 6, Beechey Head, 15 years, average \$11,408.02. The total for the six traps is \$101,579.59, or an average for the whole six traps over all these years of just under \$17,000.

[Mr. Chas. F. Goodrich.]



*By Mr. Hanson:*

Q. Six traps, you say. I thought you had been operating four and five?—  
A. I stated in my evidence that we never operated more than six traps nor less than four; that we operated four traps last year, and we contemplate operating five this year; that we did operate five in 1935. We have operated, in some years, six traps. So I am giving you all the information that I have got at hand.

Continuing: The suggestion has been made that, in the matter of payroll, certain men employed by this company at Sooke, should be eliminated. There are no men shown on our payroll whose living does not depend on the continuance of the trap licences at Sooke and whose employment is not a necessary charge against the operation of the business.

A request has been made that this committee be furnished with the number of fish sold by us as fresh fish and not processed at the Empire Cannery. Practically all salmon taken by the Sooke trapnets are canned at the Empire Cannery except springs and steel heads which have been sold fresh for the past two years. The following are the numbers of these caught in 1935 and 1936—this represents springs and steel heads:—

1935.. . . .	20,768
1936.. . . .	17,372

*By Mr. Neill:*

Q. You are going too quickly. You say in 1935 there were 20,756?—A. 20,768.

Q. Is that springs and steel heads together?—A. Right.

Q. And then in 1936, what was it?—A. 17,372.

Q. Does that agree with the figures in the bluebook?—A. I could not tell you. Those are my own.

Q. Were they sold?—A. They were sold fresh.

Q. All sold fresh.

Mr. MOYER: All right, Mr. Goodrich.

The WITNESS: The salmon which had been canned at the Empire Cannery are admittedly standard of quality all over British Columbia and are eagerly sought for by large and discriminating buyers. One of the largest brokers established and operating in Vancouver, B.C., under date of February 9, 1937, writes as follows:—

It may also interest you to know that I have just finished looking at some samples of Empire pinks and frankly I could not resist telling you what nice quality fish it is. You will appreciate, of course, that I see and handle a good many cases of fish in a year, and one, of course, is not as keen about an article that you are so familiar with as when you do not handle it so often; but I tell you that it would be absolutely wicked to destroy anything that sets a standard of quality such as these fish. Personally, I would rather have these pinks than sockeye.

*By Mr. Neill:*

Q. Who says that?—A. I did not mention the gentleman's name. I cannot.

Q. Is he a broker?—A. I said he was one of the largest brokers established and operating in Vancouver, B.C.

Q. All right.

Mr. HANSON: Mr. Chairman, I think we are entitled to know the name of the man, because anyone can write a letter. If it is an anonymous letter, it is of no value.

The WITNESS: It is not an anonymous letter. I am unable to tell you the name.

Mr. HANSON: If the letter is to be read into the evidence, the name should be on it. Otherwise it should be struck out.

The WITNESS: It is a statement of my own that I have a letter of that kind.

Mr. HANSON: It is no evidence, unless we have the name.

The WITNESS: You can discount the evidence if you want to. But I say that is as far as I can go. I am sorry.

*By Mr. Neill:*

Q. Did the gentleman say that he did not want his name used?—A. Yes.

Q. I see?—A. He handles fish from a great many canneries.

Q. We certainly will have to discount it?—A. Very well. (Continuing):

In response to your request for more detailed information in regard to the amount of the Sooke Harbour Fishing and Packing Company Limited investment at Sooke which would be jeopardized by the elimination of the trapnet mode of fishing and which I have stated previously as being of a cost value of somewhat in excess of \$100,000, I will state that these assets may be grouped as follows:

Real Estate and Buildings . . . . . \$18,200.16

Q. Buildings, did you say?—A. Real Estate and buildings.

Q. \$18,000 and how much?—A. \$18,200.16.

Q. You do not define buildings separate from real estate, do you?—A. No. I have them grouped together.

Q. All right?—A. Floating Property, \$78,655.45.

Q. \$78,655.45—what is that, floating property?—A. Floating property, boats and scows—it includes boats, scows, dories.

Q. Wait a minute. Scows, boats, etc. Does that include the driver?—A. That includes the pile driver and the pot scows.

Q. \$78,655?—A. \$78,655.45.

Q. Never mind the cents?—A. All right. (Continuing):

Miscellaneous equipment, consisting principally of tools and fixtures, cookhouse equipment, and various miscellaneous equipment not included in either one of the other two headings, \$5,977.45, a total, all inventoried at cost, of \$102,633.06; in addition to which we show on our books material and supplies inventoried at a conservative present value of \$10,134.05.

Q. What is the difference between the miscellaneous item and this one?—A. The other was equipment. This is all material.

Q. Define the material?—A. I would define material as wire netting, cotton webbing,—

Q. Piles?—A. Piles, yes. The equipment would be axes, peavies, tools.

Q. A lathe, and things like that?—A. Yes, a lathe, if you have one—any miscellaneous items not included under the head of the items already quoted—making a total of \$112,767.11.

With reference to the item of real estate and buildings, I would say that this company owns some 178 acres of land adjacent to our foreshore rights, in addition to the building site at Sooke used as our fishing headquarters, and the residence of our production manager at Sooke. The buildings are of a very substantial character, not cheap construction. They were built for a salmon cannery and are much superior to the general run of cannery buildings.

Q. Just there—when they built?—A. They were built about—the largest of the buildings and the most expensive one was built in the winter of 1918.

Q. A wooden building?—A. A wooden building, yes.

Q. Nineteen years old?—A. Yes.

[Mr. Chas. F. Goodrich.]

Q. Is 178 acres included in the item of real estate and buildings?—A. It is all included. I am giving you the entire item, but that was the total. (Continuing): The amount given is the actual cost to us of this item, as shown by our books. The item of floating property consists of 3 Diesel-powered boats, the largest of which is equipped with a 135 horse-power engine. This item also includes one gasoline power boat, one pile driver, fully equipped, two deck scows and a considerable number of pot scows and dories. These boats are not new but have been extremely well cared for and maintained, and should be worth their original cost less depreciation. As a going concern they are to a great extent suitable only for the work in which they are now engaged, and if thrown on the market under forced sale, would realize but a small part of their value to us.

As has been pointed out, we have in addition certain non-ledger assets, such as our trap sites. These have not been included in the estimate of value but represent a very heavy investment on our part. The fishing business is somewhat similar to the mining business. Suitable trap sites are impossible of location until after a considerable amount of expensive experimentation. During the last four or five years we have attempted to construct a trap in a certain locality which appeared to offer every promise of being a most desirable location.

*By Mr. Tomlinson:*

Q. What locality would that be in?—A. That would be Sooke Bay.

Q. Where is that situated?—A. It is right in this district here.

Q. How many miles from the present trap?—A. It is right close to the other traps. It is right in the midst of them, as far as that goes. Continuing: During the last four or five years we have attempted to construct a trap in a certain locality—I am sorry that I am repeating—which appeared to offer every promise of being a most desirable location. One year we succeeded in constructing the entire outer end of this trap, only to have it carried away by the very strong tides of that location. We hope some time to make further experiments and to recover a part of the money which we have already expended with no tangible results. The question has been asked as to whether or not we own all desirable locations. I do not think so. I think that any company which would be willing to make sufficiently large expenditures in experimental work of this character, as we have done to secure the ones which we now operate, would undoubtedly be able to establish themselves in the trapnet business.

So much depends upon the character of the bottom into which the piles must be driven that it is impossible to determine whether or not a trap can be held in any given location in advance of the actual driving of it.

I trust that the committee will understand that the assembling of all these figures which have been asked of me has necessitated a great deal of telegraphic communications, and I think possibly in view of these statements that have been made as to the suitability of these waters for other modes of fishing, that an extract from a telegram which I have from Sooke might be of interest. This telegram is dated the 20th of February at Victoria, and is sent to me by my son who is in charge of operations at Sooke:—

For more than forty years while this district has been opened for other lines of fishing and in fact some methods have almost been subsidized there has been no progress STOP One of our most progressive fishermen Dick Caines who was the pioneer in motor gillnet fishing in the Fraser River would much prefer to fish at home says that after 50 years experience it is impossible to gillnet in Sooke area on account of the phosphorescent condition of the water. STOP Jim Stewart a pioneer troller says that it is impossible to fish with troll this district in the absence of traps STOP Martinolich Brothers Norman Gunderson Charley Clark the best of Canadian purse seiners have made several attempts purse seine this area and do state account tides and fact fish do not school in quantities seining would not pay.



I have also been in telephonic communication in an attempt to secure information as to the present status of the bill now pending before the Legislature of the State of Washington, the purpose of which is to restore trap net operations in that State. I am informed from very reliable sources that the Governor of the State of Washington and the Washington Fishery Department favor the restoration of traps but that trap owners are quarrelling among themselves as to who will secure the licenses. The financial situation which faces the State of Washington Fishery Department appears to be causing grave concern.

*By Mr. Neill:*

Q. Is that your son's telegram or your own statement now?—A. It is information contained in my son's wire.

Q. In your son's wire still?—A. Yes.

Q. Go on.—A. It coincides with other information that I have. Continuing: They are said to be so short of revenue since their traps were abolished, that they must put on heavy additional taxes or restore the traps, and to avoid this extra taxation seiners are now more favourable to the restoration of traps, believing that the traps assist them to a considerable extent by bunching up the fish.

I think that is all.

*By Mr. Reid:*

Q. I wonder if I might ask a question or so arising from some of the remarks made this morning. You gave us the average, I think, of the fish in 1935, as 62½ cents.—A. Right.

Mr. TOMLINSON: That was in 1936.

The WITNESS: In 1936.

*By Mr. Reid:*

Q. In 1936. I suppose in that price you include the catch of pinks, sockeyes and springs. Does that include other varieties?—A. 1936?

Q. Yes.—A. Yes, it would include all of the two pinks that we caught that year.

Q. Yes?—A. That was the exact number we caught, two pinks.

Q. What struck me forcibly, was that you took three varieties, three main varieties?—A. No. It includes other fish—spring, steel head, the sockeye, coho and the chum.

Q. I was just thinking that we have been dealing right throughout this inquiry as to the bearing of traps as effecting the main run of fish, sockeye salmon. I could not help but think, when that statement was made, if your average was 62½ cents, that you must have caught more of the higher priced fish like springs than sockeye, because you could have procured on the open market all the sockeye you wanted for 50 cents?—A. Yes, we did.

Q. So there must be other varieties of fish that are being caught in the traps as well as sockeye?—A. I have already stated, Mr. Reid, if you will remember, the exact number of springs and steel heads we caught.

Q. Yes. I raised that point, because I really think the committee were concentrating their attention on sockeye salmon and some were pointing out that as sockeye salmon were caught on the American side, principally by traps we should have more traps on the Canadian side and get more sockeye. I am opposed to that, and I raise the point as representing the Fraser River district fishermen, and say they do not want any traps because they claim that they catch all varieties of fish, and that the catches of spring salmon and other varieties are to a certain extent depleted or to a considerable extent depleted, as well as interfering with the sockeye.

[Mr. Chas. F. Goodrich.]

*Br. Mr. Kinley:*

Q. May I ask what is the life of this equipment such as you show on that map there—that salmon trapnet?—A. There is a great deal of different classes of material that goes into that, as you see on the map, sir; and each class has a different length of life. Wire netting is all used up and consumed in one year. There is no salvage of wire netting, which is a very expensive item.

Q. What about twine?—A. Twine only lasts one year—what you use, practically only one year. You use some for mending twine, which would be part of the net. It might last longer.

Q. Do they permit you to write it off each year?—A. No.

Q. How much do they allow you to write off?—A. We have never been questioned as to that. It is really immaterial over a period of years; because if you were to write off too much one year, you would have a lower cost for yourself the following year, so it would equalize itself.

Q. I suppose you would write off a lot when you had a good year?—A. No. We do not change.

Q. It would have a good effect on your statement?—A. Well, we don't. We have a uniform system in regard to that.

Q. They allow us so much and no more, I suppose? The income tax must be—A. The income tax have never questioned us in regard to it. Doubtless they would if it was officially brought to their attention. But they are quite reasonable that way as long as they realize that there is no possible fraud.

Q. Of course, you say that it only lasts for a year, so you would have to write it off?—A. I didn't say that. You misunderstood me, possibly. I said that the wire netting only lasted one year.

Q. And the twine you said lasted a year?—A. Well, the twine is a very small item. You perhaps do not understand. All the twine we buy is a little mending twine.

The CHAIRMAN: You mean the twine nets?

The WITNESS: You mean cotton webbing?

*By. Mr. Kinley:*

Q. Yes?—A. That is a different thing. I am sorry if I misunderstood you. No, cotton webbing, we do not write that off for 3, 4, 5 years, sometimes. There is no fixed life in regard to that.

Q. Mr. Goodrich, you said that your capital stock is \$25,000 or somewhere about that?—A. Our material on hand?

Q. No, your capital stock?—A. Yes, I did.

Q. Does that represent all the money you put in? The rest is built up out of profits. Did you put any more money in than \$25,000 of stock?—A. No.

Q. That represents it all?—A. Over 18 years business.

Q. And the business has been built up to this \$102,000—has been built up from profits?—A. Yes.

Q. You gave us information about wages. What about salaries? Have you got any information about salary—management cost?—A. We have no men out except those who are actually engaged in the work of running the traps.

Q. You have the directors of your company?—A. Yes. The directors are not included in that.

Q. Do they get a salary?—A. No, they do not.

Q. What do they get for their services?—A. They usually get \$10 a meeting, when they attend a director's meeting possibly once or twice a year.

Q. Well, now, have you the cost of management there?—A. No, I have not.

Q. You do not know the cost of management at the moment?—A. No, I do not know quite what you would include in the cost of management there; would you include office rent?

Q. I would include salaries of the executives?—A. No. I have no further details than I have given you. In fact I have a sheaf of telegrams.

Q. Have you any information about dividends?—A. No.

Q. You do not know what dividends were paid?—A. I could not tell you.

Mr. MOYER: I will remind you that this a private company.

Mr. KINLEY: It is a close corporation.

Mr. MOYER: A private company.

Mr. KINLEY: I am not inquisitive, but you gave all the rest of the information, and I think it would be well to give a balanced statement.

Mr. TOMLINSON: A private company has no more right to make exorbitant profits than any other kind of company.

Mr. MOYER: There has been suggestion of exorbitant profits.

Mr. KINLEY: The witness has given information to the committee. This other information is just as important as what he has given; that is, if it is worth anything at all.

Mr. MACNICOL: The government will see that the profits are taken from them if they are large.

Mr. KINLEY: It is a private company dealing in a public asset, there is no doubt of that.

Mr. TOMLINSON: They have been doing very well.

The CHAIRMAN: I think the committee will appreciate the trouble Mr. Goodrich has gone to to get the information he has got for the committee, and I think we must give him credit for submitting the statement. The statement is fairly comprehensive everything considered.

Mr. NEILL: We would have given him a little more credit if he had given the information the first day. It would have saved us a lot of trouble. Now we have to sort all this mass of information and digest it, where as we would have had it at first.

The CHAIRMAN: I agree with you there. Apparently Mr. Gooderich did not come prepared, and he has done the best he could in the circumstances.

*By Mr. Neill:*

Q. We know that the last year you operated four traps; how many of those were owned and operated by Todd & Company and how many by the Sooke Harbour Fishing Company?—A. They were both operated jointly by the J. H. Todd & Sons Limited and the Sooke Harbour Fishing Company.

Q. Are not some of them in the name of one company and some in the name of the other—the licences?—A. I thought you used the word "operation" did you not?

Q. I meant the licences. They operated under the licences?—A. I see. I misunderstood you. There were two of each last year.

Q. Two of each?—A. Yes.

Q. I have here a letter which, I think, I will put in evidence. It is from Major Motherwell and addressed to Dr. Found, and in it he is explaining why he made a mistake in the previous record of the catch in 1936, and, incidentally, he brings it up like this: trap net catches, 1936, by J. H. Todd & Sons Limited, 76,000 odd, by the Sooke Harbour Fishing Company 26,000 odd. How does he get those figures? Do you give the figures separately to the government on each trap? Do you have to do that?—A. The inspector comes around to the office once a month and secures the figures from our bookkeepers.

Q. How do you keep them? Do you keep a record of each trap separately—of the number of fish caught from day to day?—A. Yes.

Q. And then do you turn it in to the government?—A. He is only interested in the totals for the month; he comes around at the end of the month.

[Mr. Chas. F. Goodrich.]



Q. If the Todd Company had two licences and you had two, why is it that they took 76,000 and you took only 26,000? You must have had the raw end of the deal?—A. Each trap is kept separately. That is all I can tell you. Why Todd's traps got more than ours—

Q. Three times as much.—A. They just got them.

Q. How do you count them? You do not count them out of the trap, do you? Do you guess at them, or do you estimate them?—A. We estimate them very closely. The total number is actually counted every time, but the allocation between the traps is made just as close as we can; but it would be physically impossible—it would not be physically impossible—but it would be very detrimental to the fish if we undertook to count those fish one by one—pitch them over—because the less you handle fish the better, inasmuch as there is no vital necessity for an actual minute count. When a boat comes in, as is always done it goes to the cannery and the fish are accurately counted by a counting machine as they go into the cannery—the total. Then we ascertain from the captain of the boat, or the man best able to tell us, how many fish there were from each one of the traps, and he can tell us very closely.

Q. With rough estimates?—A. Rough estimates but it is all put in and agrees with the total. One trap might get one hundred more fish than he was entitled to.

Q. It does not matter because you own it all. What about the fresh fish—those that do not go into the cannery? How do you count them?—A. They are all counted and weighed.

*By Mr. Kinley:*

Q. The weight must be a factor?—A. They all go by weight, all the springs, not the other grades. That is what Mr. Neill was asking me about: the fish that were sold fresh. They are sold by weight.

*By Mr. Neill:*

Q. In the course of your evidence some days ago you said that 2,000 feet would be the maximum lead in a trap?—A. I said about 2,000 feet. I am not quite clear.

Q. I have a letter here that says that the Gordon trap has 2,800 feet of a lead. Would you care to comment on that?—A. I do not think it can be. I would be reluctant to be convinced. That is a letter from whom may I ask?

Q. It is a letter from a man named A. H. Rowan. He quotes somebody else for his information?—A. He is, I am sure, very much in error.

Q. He quotes a man who says he worked there. However, he may be wrong?—A. At any rate, I never measured it.

MR. NEILL: As regards this information that has been laid before us, Mr. Chairman, we shall need a couple of days to digest it, but there are one or two things I would like to ask the witness since he is here to-day. I would like a statement of the inventory of the 1st of January, 1937, of the value of the piles. I think you have put that in along with the other floating equipment.

THE WITNESS: Not the floating equipment; material.

*By Mr. Neill:*

Q. Yes, perhaps that will suffice. I can pick it out. There is the cost of catching each fish at 62½ cents in the year 1936, but could you not have bought the sockeye, which is the valuable fish, much cheaper than that, or cheaper. This 62½ cents covers steel heads, springs, chums and so on, so if you were paying 62½ cents for cohoes, pinks and chums you were paying more than they were worth.

MR. KINLEY: He did not know that when he started.

The WITNESS: That is the point exactly. I was wondering if some gentleman would not volunteer that. Not only that, but I have always told you we lost money in 1936.

Mr. KINLEY: Your overhead is the same.

The WITNESS: Just the same, but you never can tell.

Mr. TAYLOR: It does seem a very foolish idea to count the cost per fish. It was introduced by Mr. Neill. I cannot discover any reasonableness in the idea that the fish should be counted per head.

Mr. REID: I think I know the reason, Mr. Taylor. The reason for the idea of getting the price of the fish was that the argument has been used by both the seiners and the trap owners, especially across the line, that it was cheaper to catch by seines, and any time people have advocated seines or traps in British Columbia the seiners and trap owners have always said, "we can catch them so much cheaper and quicker."

The WITNESS: Would one of the members of your committee—Mr. Hanson, volunteer? He knows precisely what it costs him per fish. Perhaps he would give me that information, and we might make the comparison for Mr. Reid which he would like.

Mr. HANSON: That certainly is fixed, and we pay so much—

The WITNESS: You are expecting me to know.

Mr. HANSON: I can tell you we paid 50 cents last year for sockeyes.

The WITNESS: For all the fish that went into your cannery, what did they average per fish as to cost?

Mr. HANSON: 50 cents for sockeye.

The WITNESS: They did not permit me to differentiate.

Mr. HANSON: I am one of the committee; I am not a witness. I would be glad to get that information if it is any good. We paid 50 cents for sockeye and 2 cents to haul them to the cannery—52 cents. It cost you 62 cents for sockeyes and chums.

The WITNESS: No mention has been made of the springs. They were worth more than each of the sockeyes.

Mr. HANSON: Springs are worth from 9 to 15 cents a pound.

Mr. REID: The committee may get a reasonable impression regarding the cost of fish when it considers that the price of low priced fish, pinks for instance, was 5 cents running up to 50 cents for sockeye. There are other varieties which are bought at 4 and 5 cents a pound, and if you take the low priced fish at 5 cents and then run up to the high priced fish, the sockeye at 50 cents, and this man makes the statement that his average cost is 62½ cents, the question naturally arises how then did he operate?

Mr. GREEN: Why not include the springs? Why not be fair?

Mr. REID: I am going to ask him about the springs, but I do not know whether they are in—

Mr. GREEN: Your question never mentioned them.

Mr. KINLEY: His question may be unfinished.

Mr. REID: I object to being called unfair until I have finished my remarks. You have no right to butt in until I am through, and to call me unfair. I asked him about springs—how many springs he had caught—but I was not finished when you challenged me with being unfair.

Mr. GREEN: You said the price of the fish run up.

Mr. REID: I am going to finish my statement now. They run all the way from 5 cents a fish up to 50 cents a fish. What traps catch of course has a considerable bearing also on the catch of sockeye salmon, but if Mr. Goodrich

[Mr. Chas. F. Goodrich.]

paid 62½ cents a fish he must have caught a very great number of the higher priced fish, that is of the springs. I say it is a perfectly correct thing to state that, otherwise he could not operate. If he had only varieties running from 5 to 50 cents then his catch must also have resulted last year in a large catch of these spring salmon which run, I think, about \$2 per fish. I think that is a fair statement.

**THE WITNESS:** It is fair as amended by the final statement of Mr. Reid, but the statement which he made in the original part of his speech—he said that the price of the salmon varied from 5 cents to 50 cents; he did not mention the \$2 which he includes in his last sentence, but which the committee—pardon me—now, Mr. Chairman, if you will look at my notes you will see I tried to point out, and I think I did, that the reason was that in the expensive year we caught none of these cheap fish. I tried to convey the right idea to this committee, and I have given the real reason in my estimation.

**MR. REID:** In my advocacy for the abolition of the traps and in trying to safeguard the interests of the Fraser river fishermen, I was endeavouring to point out that the traps not only caught large varieties of sockeyes but that they caught all varieties as well, and I am pointing out to you that he must have caught a large percentage of spring salmon, otherwise your high price—

**THE WITNESS:** It is not so much that we caught a large percentage of springs that year that ran the price up—we did not—the answer was that we caught none of the cheap fish.

**MR. TAYLOR:** I think if we admit that it is a very foolish idea to develop a price per fish we will get the proper orientation of this question.

**THE CHAIRMAN:** I do not think so, Mr. Taylor, because the claim was put forward that these traps are the best means for catching fish, and the cheapest. I think it is very important that we find out whether these fish are costing this company as much per fish as if they were caught by the ordinary fisherman apart from the traps.

**MR. REID:** It is very important, because they can buy, as they can—and Mr. Goodrich will not deny it—sockeye on the open market at 50 cents per fish. I believe I am safe in saying that fishing boats could—I am not entering into the argument whether he would care to do it or not, but the price does enter into it.

**THE CHAIRMAN:** There is one thing I am confused about and that is that one gentleman comes up and states that the sockeye is the best salmon.

**MR. REID:** For canning.

**MR. RYAN:** Not for canning alone, on the coast.

**MR. NEILL:** The best in the world.

**THE CHAIRMAN:** Another gentleman comes up and says that there is fish worth \$2.50 apiece—a spring salmon. I would like to know which statement is correct.

**THE WITNESS:** Both statements are correct, but they are understood differently. The average size of a spring salmon throughout the season will run from 24 to 34 pounds.

**THE CHAIRMAN:** That is not the sockeye.

**THE WITNESS:** No. A very few of these are canned. There are some canned in British Columbia. The only place where they are canned on a really large commercial scale, I think, is the Columbia river where they are canned in the name of chinooks, and they have developed a market under that name, and they are satisfactory. As I said, the average size runs from 24 to 34 pounds whereas the average weight of a sockeye is about 7 pounds.



*By Mr. Neill:*

Q. Is it not more than that?—A. I do not think so. I think I am quite close to it—about 7 pounds, is given—6½ to 7 pounds.

Q. In the round?—A. Yes, in the round. Now, naturally the red spring salmon which is sold on the fresh fish market will average, probably, \$1.75—something like that.

Q. Certainly that high, I should think?—A. I am speaking about round weight—about 7 cents a pound round weight at, say, 25 pounds makes \$1.75.

Hon. Mr. TOLMIE: Have you extremely big fish among the springs?

The WITNESS: I think we had one big fish that weighed around 82 pounds. I think that was a record.

*By Mr. MacNicol:*

Q. That would be a grandfather of springs?—A. No. I can tell you that we had that fish examined by Mr. John B. Babcock and he told me the history of it. It really had quite a normal history—a normal age—but it had just developed along that line. Spring salmon do vary in their weight quite considerably from one year to another.

Q. Before you sit down, may I ask this question: do you say that spring salmon average, perhaps, 25 pounds and the sockeye averages about 7? Are they of the same family of fish?—A. No. Well, they are of the same general family, yes. They are all classified. If there is a scientist in the room he can correct me but I think oncorhynchus is the general family name for the salmon, and each of the different family varieties have scientific names of their own.

Q. They do not mix up with one another, do they?—A. No, they do not. The spring salmon is the oncorhynchus, and then the pinks and chums and so on have scientific names of their own.

Q. What time do the sockeye come—in the spring or fall?—A. The sockeye in our district usually commences running about the 10th or 20th of July—somewhere between those dates.

Q. And the springs?—A. The springs seem to come along pretty much throughout the entire season, the first ones, and they run sometimes well through September.

*By Mr. Neill:*

Q. The springs mostly go to the Columbia river?—A. I could not say. There are some that we think are Columbia river fish. There are some places where the spring salmon spawn there.

Q. May I ask you to put on the record certain information. I think I have got it before me but I seem to have lost it, or probably you told me in conversation. In 1936 I think the United States people put up 42,894 cases of sockeye?—A. I am speaking from memory now. I gave you those figures, Mr. Neill, on the authority of the last bulletin—annual bulletin of the Washington State Fisheries Department, and whatever I gave you—

Q. I want to read it into the record. As regards the Fraser river, there were 179,857 and that includes 11,611 cases caught in the Fraser and canned in the United States. Was that your recollection of what you told me?—A. That figure sounds familiar.

Q. And also you bought some Fraser river fish last year and canned them at Esquimalt?—A. Yes.

Q. Some members will be interested in that. There were so many salmon in the Fraser river that they sold them on the American side, and these gentlemen bought some of them back?—A. Not at all. I beg your pardon. I did not say we bought them back from the American side.

[Mr. Chas. F. Goodrich.]

Q. No. You bought some from the Fraser river. There was such a surplus on the Fraser river that you brought a number of them back to your traps?—A. From the Fraser river? I did not say I brought them back to the traps, because I do not think they brought one back to the traps. I think they went through from the north shore of Vancouver island.

Q. And 11,000 were taken from the Fraser and the Puget Sound places. It looked as though they had a lot of sockeye on the Fraser river.

Mr. MACNICOL: Do I understand from what Mr. Neill says that they had so many salmon in the Fraser river that they had their own requirements filled and they were able to sell some?

Mr. NEILL: Yes. That is what Mr. Goodrich says.

Mr. GREEN: They came around the north end of the island instead of coming south.

Mr. NEILL: That is a beautiful theory, but nobody knows anything about it.

*By Mr. Neill:*

Q. I would like to deal with the labour matter. You gave us an impression on the first day you spoke that there were so many men employed here and so many employed there, and it added up to something like 48 men, but later on you yourself said—I could give you the page, but you will not deny it—that really these men were moved around. Now, on page 15 of the hansard of this committee you submitted a petition signed by the employees of the Sooke Harbour Fishing and Packing Company, and it is on record. It contains 41 names. I suggest that you should accept that as being authoritative because it is quite evident that in the effort of getting up a petition like that you would not have left any employees out?—A. I do not think we can admit that. That is a petition. What is the date of the petition?

Q. The date?—A. Yes.

Q. You put it in. It does not give the date. It says, "We the undersigned employees of the Sooke Harbour Fishing & Packing Company Limited and J. R. Todd & Sons Limited. . . ." it is at page 15.—A. The exact date I do not care about that. I am not trying to haggle. I am simply trying to point out to you that my recollection would be that that would be along about this time of the year—some time in February. My company, as a company, did not circulate this petition or ask any one man in Sooke to sign it. Every man did sign to save his own job. It is unfair to say there was any evidence that it was our petition.

Q. I did not say that. I say you submitted a petition in your evidence containing 41 names, and it says, "We, the undersigned, employees. . . ."; and I ask you if it is fair to assume that that is a complete list of employees?—A. No, it is not, because this was circulated and signed during the unemployment season at the cannery. It was signed, as I recall it, just about February, when the employment at the cannery is at the minimum. It is quite possible there are some names, if the list were checked, who are not on the list. I do not say there are; but it is not fair to assume that it includes every possible name. That is what I am trying to point out.

Q. What was the date of this petition?—A. I do not know.

Q. You say you do not know. You produced it?—A. I produced it?

Q. Surely you did?—A. Where is the evidence to show that?

Q. On page 15 of the hansard of the committee, February 11th.

Mr. MOYER: The minister produced it, I think.

Mr. NEILL: No, Mr. Goodrich produced it. Here is the date of it, February 8, 1936, and it was sent in by Mr. Muir.

Mr. MOYER: It was sent in to the minister, and produced to the committee by the minister—not by Mr. Goodrich.

Mr. NEILL: Well, it was produced by Mr. Found.

Mr. MOYER: For the minister.

The WITNESS: I just wanted to straighten the record up. Now, in regard to employment, I will also say this: I think I stated in my testimony some days ago that our records show that in 1935 we employed 11,110 man days. I think you will find that in the record. Divide that by 41 employees, and I think you have—I worked it out—about 277. My recollection is that that would show that if that list were completed, and that represented the actual number in 1935, it would average about 277 days of employment for each of the 41 men. They would not all be employed at the same time, but that is the average.

Mr. MACNICOL: How many fishermen are employed in the other parts?

Mr. REID: Approximately about 2,000 in the height of the fishing season.

Mr. GREEN: What are the licences issued? How many fishing licences are issued for the Fraser river district?

Mr. MACNICOL: I was going to say, Mr. Chairman, that I figured this out the other day that it seems to me that 41 out of Sooke catching 2 per cent of the fish would be equivalent to 2,000 at the Fraser river catching—I have forgotten the percentage—but it looked to me as if the men at the Sooke were catching approximately the same as the men at the Fraser river. I cannot understand that.

Mr. KINLEY: Does not that 2 per cent include the American catch?

Mr. MACNICOL: The whole catch. It looked to me as though the catch at the Sooke was the same as at the Fraser.

*By Mr. Reid:*

Q. May I ask a question about those traps? At the week-end they are closed. Do you know of your own knowledge if when the gate is down and no fish can enter the trap how many of the fish mill there, or do they circle and go on?—A. Not of my own knowledge. I cannot claim to be a practical fisherman.

Q. The statement is made that the fish mill there; that when they come against the trap they mill?—A. I am not a practical expert, and I do not wish to create the impression that I am. I have a general knowledge of these matters over many years, and I have talked with our fishermen and others and they say that the fish do not mill around there for any great length of time.

*By Mr. MacNicol:*

Q. Somebody said something about the fish coming around the northern end of Vancouver island. I have been wondering that since the fish have schools it is strange that some smart teacher does not teach those fish to avoid certain places?—A. From the Canadian standpoint that is what we all want to propagate or it will put us all out of business. If you can train your fish to go to the Fraser river by the route around the north end of the island and keep out of American waters you do not need to bother about any sockeye treaty.

Mr. MACNICOL: We should teach them to go around the north end of the island.

*By Mr. Kinley:*

Q. There is an apron that you lay down on certain days?—A. Yes.

Q. Why?—A. To comply with the law.

Q. There are certain days that you cannot fish, is that the point?—A. Yes.

Q. On our rivers they must take away their nets on those days; what surprises me is that yours are still in the water. Could you not take that outside part up?—A. You could not safely take up your cotton web there.

Q. Not on prohibited days?—A. No, you could not do that.

[Mr. Chas. F. Goodrich.]



*By Mr. MacNicol:*

Q. What is the distance from here to there (indicating a point on the lead to the lefthand corner of the heart)?—A. You are too technical for me. I am ashamed to say I do not know.

Q. Certainly, if a gate were across here the fish would go around?—A. Oh, no. You could not do that.

Q. Would that be a quarter of a mile—that other heart?—A. No.

Q. Your fish are all ready to go on on the days you are open; they are accumulating on the days you are closed?—A. They do not stay there on any two ebb tides.

Q. Does the tide run strong there?

*By Mr. Taylor:*

Q. A change of tide will disturb their movements?—A. Yes, I am sure.

*By Mr. Moyer:*

Q. You told the committee previously—probably some of the members did not hear you—that you close that trap every night?—A. Yes.

*By Mr. Kinley:*

Q. You close it for your own benefit?—A. Yes.

MR. REID: Of course, the fish are there in the morning; it does not matter.

MR. NEILL: You are talking about the trap lead now—the rather interesting idea of letting the fish by at the week-end—the 48-hour closed time. It is alleged by certain people and endorsed by Mr. Dickie that the present system of lowering the apron is very unsatisfactory. One gentleman says, "I consider the apron very unsatisfactory as it only holds the salmon back for the closed period and when raised then all enter the trap."

Here is another letter dated December 26, 1935, from Mr. Found:—

The characteristics of salmon during migration are such that there would seem to be good grounds for believing the condition complained of may very well exist and, if it does, obviously the intent of the regulation is not being accomplished and action should be taken as far as possible to see that it is.

There is other correspondence I have under my hand. I have a document which says that the proper way to do it to be effective is to lift a little bit of the lead because when they have them jammed in a corner they do mill around and the apron does not operate to let them through and the real way would be to lift the lead up. There is another letter on the file from somebody who says that Major Motherwell said it could not be done because the eastern financial interests were so strongly against it. The argument of the cannery men is that it will weaken the lead and, therefore, they cannot do it. The lead consists of a row of piles ten feet apart and there is only a wire netting in between, and if you take that away for forty-eight hours you are not going to weaken the structure. Now, the strength is in the piles, and they are placed every ten feet. Do you mean to say that by removing a ten-foot section of netting for forty-eight hours will weaken the trap Not a bit of it. It is because they want the fish to stay in there and mill around. Here is Mr. Dickie backing it up and Mr. Found backing it up. He says it ought to be looked into. The correspondence shows that Mr. Motherwell took it up with the trap people and the trap people said, "don't bother us;" and it was not done. There is the truth about trap leads.

MR. MOYER: Will you permit the witness to make a statement about the possibility or otherwise of opening a gate in the lead?

MR. NEILL: Yes.

The WITNESS: I did not say, Mr. Chairman, that it was a physical impossibility; I said that it presented great difficulties, which I do not think have yet been satisfactorily solved. That is as far as I can go.

Mr. REID: Would you agree—

The WITNESS: I would argue one way or another.

Mr. REID: Has your experience been the same as the experience across the line—

Mr. MACNICOL: If it is practicable to lift and close a gate, is it not equally practicable to open the gate in the lead to permit the escape of the fish?

The CHAIRMAN: That is a question I was going to ask. You have wire netting here (indicating on map), and web netting here. Could not that web netting be lifted so that the fish could go through and out of the trap.

The WITNESS: I did not want to be too technical about it but this drawing is not quite correct. It did serve, I thought, very well for illustrating purposes; but this line is incorrect. It is not in the fish trap. This line, extending from here—I do not know how to describe it exactly—at the opening of the outer heart, does not extend into the inner heart.

*By Mr. Kinley:*

Q. Would that not explain the difference between you and Mr. Neill in regard to the lifting of the trap?—A. I do not know that Mr. Neill was speaking of his own knowledge, but he was told by somebody out there that the trap extended out 2,800 feet, which I say it does not.

Q. Your leader is 2,000 feet long?—A. Yes, but there is an additional factor that would account for that. As a matter of fact there are no regulations. If the water was proper we could build a trap out 3,000 feet.

Q. His information is correct; he says a trap extends out that far?—A. Yes; I gave it as close as I could.

*By the Chairman:*

Q. Before you leave that will you answer my question. Would it be possible to have wire netting come that far, and from here down web netting that could be lifted?—A. No, I do not think it would. I do not think that would be the solution of what they have asked for; and it has been discussed at considerable length as to the construction of what they call a V-shaped opening in here (indicating), and as I said, the only times you join the pieces of wire together—

Mr. NEILL: The question is to have 10 foot piece on pulleys that you could pull up and down, wire web which you could pull up and down and let the fish through.

Hon. Mr. STIRLING: What is the tide rip?

The WITNESS: The rise and fall of the tide?

Mr. REID: The speed of the tide, how fast is it?

The WITNESS: I do not know exactly how fast; a ten foot rise and fall.

Hon. Mr. TOLMIE: In and out?

Mr. KINLEY: What is the speed of the tide that you have to buck?

The WITNESS: I should say about 4 or 5 miles an hour.

Mr. REID: The speed of the Fraser river is 5 or 6 miles an hour.

Mr. KINLEY: Down?

Mr. REID: Down. When the tide is going out it is about 6 miles an hour and the fish buck that all the way up; and to substantiate my statement that the fish mill about here, I think Mr. Goodrich pointed out to the committee that

[Mr. Chas. F. Goodrich.]

this was no use at all, that there are no fish in here (indicating). The fish are heading one way, and they keep on heading one way towards the Fraser river. There are no fish here on this side of the chart, no matter what state the tide is in. The inference was left that there was a big tide rip and the fish may be driven one way or the other over night. I claim there are no fish here (indicating on map). I think Mr. Goodrich stated that this was of no use. The fish are all on one side going towards the Fraser; they are never behind the trap. I think that is a fair statement.

Mr. TOMLINSON: They are always going in one direction?

Mr. REID: They are generally going in one direction no matter which way the tide is. The fish are generally bucking that tide.

The WITNESS: Our experience is the fish are not all going that way. When they go at all they go in that direction (indicating). That is right; but they only travel at certain stages of the tide. For example, all the fishing that we get is probably in three or four hours. They all come in at once. They come in with the tide. I do not think they travel continuously regardless of the tide. That would be my opinion.

*By Mr. MacNicol:*

Q. Do you have traps on both sides of a long lead?—A. No.

Q. The picture is not correct then?—A. I am not saying this may not be used somewhere else, I do not know; but we never have but one pot and one spiller. This diagram consists of a pot and two spillers on either side. We do not use that type.

The CHAIRMAN: It appears that what Mr. Reid has said is correct, that the fish are on one of the lead and heading one way, and there is no need of the other equipment at all.

Mr. MACNICOL: They are either going with the tide or bucking it.

*By Mr. MacNeil:*

Q. What about the spring salmon; where are they running; they pass what point?—A. Of course, we do not altogether know. We think that some of the spring salmon that we catch are Columbia river springs, and we think a good many of them are Fraser river and we know spring salmon come up a good many of the American streams. They are different from the sockeye in that respect. There are a good many streams where the spring salmon spawn.

Mr. NEILL: I wish to correct a statement I made a moment ago. I made a mistake when I said some one had been told by Major Motherwell that he could not get the cannery people to have one section of the lead on pulleys adopted; I should have said Mr. Babcock, who was at one time Fisheries Commissioner of British Columbia.

The WITNESS: Now dead.

Mr. NEILL: Is he dead?

The WITNESS: Yes, he is gone.

*By Hon. Mr. Tolmie:*

Q. Is there any proof at all as to what extent these fish gather there waiting for the traps to be opened?—A. No evidence of it. I have never heard of any case of their waiting for the traps to be opened; I never knew of it.

The CHAIRMAN: Is there any possibility of Mr. Goodrich getting through to-day?

Mr. NEILL: I do not see how he can. We have all this material to digest.

Mr. TOMLINSON: Mr. Chairman, we have heard his side of the story, but we have not the Fraser valley end of it. Could you not get some independent evidence as to what effect these traps are having on the fisheries there?



Mr. REID: The trouble is the Fraser river fishermen are too poor to come down here as witnesses to give evidence. They have always relied, more or less, on the members—not myself, particularly,—but the various members who represented these people—

Mr. MACNICOL: They are very well represented.

Mr. NEILL: We cannot afford to pay expensive legal fees and things like that.

Mr. RYAN: What more do you want to ask Mr. Goodrich?

Mr. MOYER: I thought it was pretty well understood on Friday if Mr. Goodrich made a serious effort to answer the questions asked by the committee he would be let go today.

Mr. NEILL: He has brought a lot of evidence that contradicts his previous evidence. We are here to get to the bottom of this fishing business. This gentleman has put in his side of the story. Are we to be forbidden to cross-examine and get out contradictory evidence, or, on the other hand, to put forward views of our own. Mr. Goodrich appears here with a very clever and learned counsel and is he to be permitted to tell his story and beat it home without being cross-examined?

The WITNESS: I do not think I can be accused of coming down here, telling a story and beating it home. I will be down here two weeks Wednesday. I have put in my whole time, and I have spent a vast amount of time, labour and money in securing a lot of information that I did not think—

Mr. NEILL: You should have brought with you.

The WITNESS: —was of great value, though the committee thought it was. I have tried to get it all; I have acted in good faith with the committee, but I have interests that I need to get back home to, and a family.

Mr. NEILL: The fishing will not begin until May and your family can surely get along a while longer without you.

Mr. KINLEY: A lot of new evidence was put in this morning.

Mr. NEILL: I have evidence here that positively contradicts certain statements.

Mr. MOYER: I suggest there is no evidence here at all. Everything that Mr. Neill is quoting is secondary. There have been no witnesses called by the other side. We have produced a witness who has been at the disposal of the committee for nearly two weeks. He has done everything he could to meet the requirements of the committee. There has been no evidence at all refuting him. He has been cross-examined. The only evidence that Mr. Neill and Mr. Reid have submitted has been second-hand. If they can make a case I think they ought to have someone go in the box and contradict the evidence.

Mr. REID: That answers the question that arose a moment ago. The Fraser river fishermen are too poor to send a delegate across the country.

Mr. NEILL: I have a wire here that directly contradicts the witness on material points.

Mr. MACNICOL: Are we to infer that the Fraser river fishermen, if they were here, would be willing to wipe the traps at Sooke out of existence and destroy the village or town, whatever it is?

Mr. REID: Yes; I was at a representative meeting of the fishermen before I left the coast for the east. I was there to hear what they had to say. They emphatically protested against the Sooke traps.

Mr. MACNICOL: In other words, they are willing to crucify the village of Sooke and all the employees there?

[Mr. Chas. F. Goodrich.]

Mr. TOMLINSON: Mr. Chairman, I have never been in British Columbia, I know nothing about the situation there and yet I am asked to vote on a resolution submitted by Mr. Taylor. If I vote for that resolution I am voting to close off these traps, and in justice to myself I do not think I can do that without hearing the other side. We have heard one side of the story in connection with the traps, but we have not any evidence from persons interested in the Fraser river. Now, if the members who represent them would like to go into the box and give their evidence I submit that we should give their evidence the same consideration and weight that we give the evidence of the trap men who have given their evidence.

Mr. HANSON: We have a petition signed by 1,600 or 1,700 fishermen, protesting against these traps, if that is anything.

Mr. TOMLINSON: I think they should be given the opportunity of getting in the box and presenting their side of the story.

Mr. MACNEIL: May I ask the power of this committee to summon witnesses. I have been a member of other committees where witnesses have been brought from across the country. We are now dealing with the operation of traps at Sooke, and we are also dealing with the principle of permitting traps in the coastal waters of British Columbia. Now, the livelihood of a community is at stake, and the livelihood of the fishermen is also at stake. They are organized. They are quite willing to produce witnesses before this committee, and I think we should give some consideration to the advisability of bringing a practical fisherman here from the coast and examining him as to the reasons why they have for a number of years so definitely opposed the operation of traps, and what the effect of these traps is on their livelihood. A certain number of individuals are dependent on the industry at Sooke, but we should not overlook the effect they may have on the thousands of fishermen engaged in the very hazardous calling, and their investment in gear and boats. On their purchasing power very largely the prosperity of British Columbia depends. We cannot overlook that consideration. I would ask this committee to consider the advisability of bringing before it one or two competent men representing the organized fishermen of the province, as well as some of the officials of the Department of Fisheries, who have had personal supervision of the operation of the traps, and who could give definite evidence on the various points which are in dispute.

Mr. REID: This matter is so serious if the committee divided on the question of traps—leaving aside for the moment the question of the Sooke traps—the whole fishing industry would be in jeopardy, because you would immediately have applications for traps from all over British Columbia. The department would be flooded with applications for traps if this committee divides on the question, and I believe it would raise the whole issue of the livelihood of the fishermen concerned. So far as the Fraser river fishermen are concerned I can get delegates to come here at any time, but they are not in a position to finance the trip themselves. I can secure competent men who have been 25 and 30 years fishing, who can give full information to the committee as to the destructiveness of the fishing traps.

Mr. MACNEIL: I move that we summon representatives of the organized fishermen, such representatives to be selected by Mr. Reid and Mr. Neill after consultation with the chairman of the committee, to appear here at the committee's expense.

Mr. RYAN: It is all very well to spend money on these matters, but before we attempt to summon witnesses and pay costs, we ought to have some advance information as to the evidence they will give. The fishermen can set out their reasons, and we can take them into consideration. If we are going to summon these men to appear before the committee and spend a lot of money investigating



the fishing industry of British Columbia, particularly the trapping industry, what will happen. The question of fishing is of interest to the whole dominion of Canada. Next session you may have someone from the Maritimes asking the fishermen to come up here to give evidence in connection with their difficulties. I say this, Mr. Chairman, simply summoning witnesses here without knowing what evidence they are going to give is not the proper thing to do. We should have some idea what they are going to tell us, then we would know whether we should go to the expense of bringing them here or not.

Mr. TOMLINSON: I say this: it is very foolish to ask us to come here as a committee and decide whether we are going to close up the traps at Sooke without having the evidence before us. Here we are asked to decide on this question, and we have heard evidence from one person only as to the traps at Sooke. I know nothing about the fishing industry out there. Before I can decide, or before I will vote on this question I, as a member of this committee, feel I should hear evidence from other parts of British Columbia as to why they contend these traps should be taken away, or why traps should be allowed in other parts of British Columbia. I think it is unfair to the members of the committee to ask them to vote on a question without hearing both sides.

Mr. GREEN: Could we not save a great deal of time now by deciding that we are against any additional trap licences. I do not suppose any member of the committee is in favour of extending trap licences. The question that is before us is really the question of the four or five licences at Sooke. Cannot we wipe the rest of the trap licences out of the picture?

Mr. REID: That would clarify it.

Mr. GREEN: It would simplify the matter a great deal. Of course, conditions may arise in other years that would call for further consideration; but at the present time I do not think anyone is in favour of extending trap licences in any other part of the British Columbia coast.

Mr. KINLEY: Mr. Chairman, apart from summoning other witnesses, which I think we might talk over at the next meeting, I believe Mr. Neill should have the opportunity to cross-examine his witness. I do not think we ought to say that Mr. Neill should not have that opportunity.

Mr. MOYER: He has been doing it since the first meeting.

Mr. NEILL: Intermittently—

Mr. KINLEY: There is a lot of new evidence which conflicts with what has been given before. I cannot conceive of the committee not allowing the member to cross-examine the witness.

The CHAIRMAN: There is a motion before the committee.

Mr. CAMERON: While I do not wish to see any witness put to any inconvenience, some of us were not able to attend the committee meetings, and a great deal of material has been placed before the committee this morning, and while some of it may not be new, it is new in this case. It is put in a different shape. If the right statement had been placed in Mr. Neill's hands last Saturday so that he could have looked it over, I would say well and good, and he would have been prepared to go on with his cross-examination. However, I do not think it is fair to close off the cross-examination now, and I suggest that we sit another day.

Mr. REID: So that we get this matter cleared up, I shall be very glad to second the motion made by Mr. MacNeil. If we are going into the question of traps generally and completely it would take some time; but, perhaps, as Mr. Green says, we could clarify the situation by only dealing with the traps at Sooke, and if that is the case it will be understood that we are not going to



sanction or recommend any more traps in British Columbia. In that case we can deal exclusively with the Sooke situation. If we are going to go into traps generally, then I am going to support the seconder and ask for witnesses. The matter will then be wide open.

The CHAIRMAN: I think we will adjourn until to-morrow.

Mr. NEILL: Shall I have a copy of the statement the witness has presented?

The CHAIRMAN: Yes, that will be provided. Now, I am informed that we have a gentleman from British Columbia with us. I refer to Mr. Whitmore, an official of the department. Mr. FOUND, could Mr. Whitmore give evidence as one of the fishery officers?

Mr. FOUND: He is the head of the western division in the department and he is dealing with British Columbia matters all the time.

Mr. KINLEY: Is he a superintendent in British Columbia?

Mr. FOUND: No. He is in the department at Ottawa. We have a western and an eastern department. He is in charge of the western division.

The committee adjourned to meet Tuesday, February 23rd at 11 o'clock.











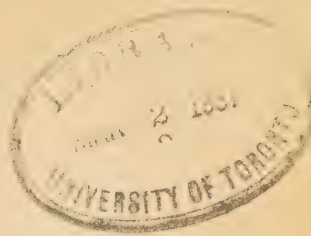




Dr. Doc  
201  
201  
M

*Marine and Fisheries, Standing Committee on, 1937*

SESSION 1937  
HOUSE OF COMMONS



STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 6

TUESDAY, FEBRUARY 23, 1937

WITNESS:

Mr. Chas. F. Goodrich, President, Sooke Harbour Fishing and Packing Company Limited, Sooke Harbour, British Columbia.

OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1937



## MINUTES OF PROCEEDINGS

COMMITTEE ROOM No. 368,

TUESDAY, February 23, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock, a.m., this day, Mr. MacLean (*Prince*) in the Chair.

*Members of the Committee present:* Messieurs Brooks, Cameron (*Cape Breton North-Victoria*), Green, Hanson, Hill, Kinley, MacLean (*Prince*), MacNeil, MacNicol, McCulloch, McDonald (*Souris*), Neill, Pelletier, Reid, Ryan, Stirling, Taylor (*Nanaimo*), Telford, Tolmie, Tomlinson, Tustin, Veniot and Ward.—23.

*Present as witness:*

Mr. Chas. F. Goodrich, President, Sooke Harbour Fishing and Packing Company Limited, Sooke Harbour, B.C.

*Also present:*

Mr. L. Clare Moyer, K.C., Barrister of Ottawa, counsel for the Company, and Dr. Wm. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

Mr. Neill stated that he had in his possession a petition, which had been handed to him; it was addressed to the Minister of Fisheries and contained a large number of names of residents of British Columbia. With the consent of the Committee he desired to have, through the proper procedure, the said petition become a part of the record.

After discussion, it was decided that the petition, being addressed to the Minister, should properly be submitted by him to be incorporated in the record, in accordance with the practice followed with similar documents at previous meetings.

Dr. Found was requested to hand the petition to the Minister.

*Mr. Chas. F. Goodrich recalled.*

The Chairman stated that it was his understanding that Mr. Neill was to be allowed to examine the witness first, following the information furnished at yesterday's meeting by the witness, and other members of the Committee to follow with further questioning, as they so desired. If this was the will of the Committee, he thought it would tend to hasten matters, and if possible, end the examination of the witness at the present sitting. Agreed to, and Mr. Neill proceeded to a further examination of the witness, which was later on taken part in by other members of the Committee.

Mr. Ryan took the Chair for Mr. MacLean.

Witness discharged.

Considerable discussion took place regarding the next date of meeting, and also respecting another witness. The Committee finally agreed on Monday, March 1st, for the next meeting, in order to give a few days to consider the evidence before the Committee.

It being one o'clock, by general consent the Committee adjourned.

E. L. MORRIS,  
*Clerk of the Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS,  
Room 368,

February 23, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock. Mr. A. E. MacLean, the Chairman, presided.

The CHAIRMAN: Now, gentlemen, we are all ready to start. I think it was agreed yesterday that Mr. Neill would be given the opportunity this morning of examining Mr. Goodrich, and as we have promised Mr. Goodrich at different times that we would try to let him get back to the Pacific coast as soon as possible I think we should make an honest endeavour to-day to get through. I suggest that we allow Mr. Neill to proceed with his examination. At the same time we do not want to restrict members who may wish to ask questions about points of general interest, and they might be agreeable to bringing such matters up at a later date. After Mr. Goodrich gets through we can take up all these things which have been raised by members of the committee. If that is agreeable to the committee we will ask Mr. Neill to proceed, and we will give him a very free hand for a while.

Mr. CHARLES F. GOODRICH, President, Sooke Harbour Fishing and Packing Company Limited, Sooke Harbour, British Columbia, recalled.

Mr. TOMLINSON: That does not affect the motions before the house, of course.

The CHAIRMAN: No, the motions are still here to be dealt with.

Mr. NEILL: Just before we go on with the examination of Mr. Goodrich might I present a couple of petitions. One of these has just been put in my hands a minute or two ago by Senator Green who has just come from the coast. It is addressed to the Honourable the Minister of Fisheries, and I am a little doubtful whether it would be in order for me to put it in at this time as it is addressed to the minister. I think it should be turned in, and if Mr. Found could get the consent of his minister it could be incorporated in the minutes. It is very largely signed and it is very general in character.

The other one is also a petition addressed to the minister. It is dated February 13, 1937, and it is from the United Fishermen's Federal Union of British Columbia, signed by its secretary, and it reads as follows:

Mr. MOYER: Has the minister received that yet?

Mr. NEILL: I presume so. It was dated February 13, and this is the 23rd isn't it; but I do not know. I took this out of a paper published in Vancouver, so I presume it has been sent. It says:—

Vancouver: A resolution, urging the Dominion authorities to enter into diplomatic negotiations with a view to support the state of Washington's legislature's Initiative No. 77, has been adopted by the United Fishermen's Federal Union of British Columbia, which has requested Hon. J. M. Michaud, Minister of Fisheries, to assist in getting "speedy action."

The letter to the minister, dated February 13, 1937, and signed by M. E. Guest, secretary of the union, follows:—

I have been instructed to forward to yourself for such action as you can speedily effect the following resolution, passed by our organization on February 11, 1937:

Whereas, the grave danger of fish traps being returned to Puget Sound waters offers an immediate problem, and

Whereas, the substantial recovery in per cent of salmon being caught in British Columbia waters is unquestionably due to the elimination of traps in Puget Sound.

Therefore be it resolved, that we, the United Fishermen's Union of British Columbia, Local No. 44, hereby go on record requesting the proper authorities at Ottawa to immediately open discreet negotiations through diplomatic channels to prevent Initiative No. 77, now before the Washington state assembly, from being abandoned and traps again allowed in Puget Sound waters.

Thanking you to lend the full weight of your office in getting speedy action on the above matter, I remain . . ." etc.

Mr. MOYER: Where is Local 44 located?

Mr. NEILL: At Vancouver.

Mr. MOYER: Could you give us an idea as to the effect of the other petition, what does it represent?

Mr. NEILL: It is against the traps.

The CHAIRMAN: In view of the fact that this petition is addressed to the minister I think the better course for us to pursue would be to have Mr. Found, who is here, bring this to the attention of his minister and then if the minister approves it can be made a part of our record.

*By Mr. Neill:*

Q. Mr. Goodrich, I have been trying to get out a definite statement of the assets of your company so as to formulate an idea as to how you would suffer if this concession that you enjoy were taken away from you, and yesterday you gave us some definite datum which was in very general terms. I would like amplification of the details of it and with that point in view I will deal with the items therein contained individually. You divided your assets up into floating property, buildings and real estate, materials and supplies, and miscellaneous equipment. The item of floating property you put in at \$78,655.44, and you quoted a firm of auditors in Victoria as having certified to the correctness of those figures by wire; but what they were really certifying to was that they were a correct report of the figures which have been taken from your books, they did not of course certify that they were correct values. It is these figures I want to talk about just now, and I want to bring up this \$78,000, which is a very large sum amongst your assets; you said they included diesel boats, a gas boat, a pile driver, two deck scows, pot scows and dorries, a pile puller and so on. Take the diesel boat, you said it was a 35 horsepower engine.—A. No, I beg your pardon, I said it was 135 horsepower.

Q. Didn't I say 135?—A. No, you said 35.

Q. What is the name of that boat?—A. The *Harriet E*.

Q. Can you give me an idea about that, when it was built?—A. The hull I think dates from 1918. I am not positive about that. Speaking from memory. It was a rebuilt hull. As a matter of fact, it was practically all rebuilt. It was a boat which had formerly been used, I think it was for sealing, I am not sure, and it had been wrecked and partly burned; and when they came to rebuild her they built her almost entirely. It is a very large part of it new work. It had been burned to the water's edge.

Q. That was in 1917?—A. I think I am correct in regard to that.

Q. And it was originally built in 1911?—A. I cannot say as to that. Perhaps you have the records. It was formerly the *Montana*.

[Mr. Chas. F. Goodrich.]



Q. I have the record here. They say it was built in 1911. What did it cost you?—A. Again I am speaking from memory; I think it cost originally about, somewhere between \$20,000 and \$25,000 in 1918.

Mr. MOYER: He said 1918, Mr. Neill, not 1917.

The WITNESS: It is either 1917 or 1918.

*By Mr. Neill:*

Q. The book says 1917, that is why I put it that way?—A. Very well, it was either the fall and winter of 1917 or the spring of 1918, I can't say. She then had a Fairbanks Morse 100 horsepower C.O. type engine in her, and we have within the last comparatively few years—I think—let me see, about five or six years ago I think it was we installed this 135 horsepower full diesel engine.

Q. You say you paid \$25,000?—A. Somewhere between \$20,000 and \$25,000, if my memory serves me right.

Q. On page 12 of the evidence of this committee, dated February 19, I asked you what the cost of this boat was, and your answer was: I think the cost of that boat was in the neighbourhood of \$2,500—so, that amount should be \$25,000?—A. I did not say that. If that is shown it was a misprint. As a matter of fact my attention was called to that page and it is evidently a misprint. I never stated that. To state that she cost us \$2,500 would be absurd.

Q. Yes. Well, I will leave that. I notice in the record here that you have two other diesel boats. When were they acquired?—A. One is the *Hillside 1*. She is equipped with a 75 horsepower full diesel Atlas.

Q. When did you put the new engine in?—A. I think it was about four years ago.

Q. And when was she built?—A. She was originally built in, I think, 1917.

Q. What did you pay for her?—A. Well, at the time we had her built she had—boat building was very cheap then.

Q. Was cheap, did you say?—A. It was, yes.

Q. In 1917?—A. Yes, compared to what it is now; it was much cheaper then than it is now.

Q. In the middle of the war?—A. I think she cost us only \$7,000 with a gas engine in her.

Q. What about the other boat?—A. She was a practically new boat four or five years ago—75 horse power Atlas.

Q. Gas?—A. Full diesel.

Q. Diesel?—A. Yes.

Q. What about the other boat?—A. The other boat is the *Beechy Head*.

Q. Well, how old is she?—A. I think she was built in 1926 or 1927—I can't be sure—that is not far off.

Q. All right. What did she cost you?—A. I do not remember what she cost us. If I recollect right she is insured for some \$10,000 or \$12,000.

Q. Is she bigger than the other boat?—A. About the same size.

Q. Would you not put her in at about the same value?—A. I think the *Hillside 1* is rather the more valuable boat although she is older. She is a very well built boat and has a very good model, very popular.

Q. The last boat is newer than the previous one?—A. That is true. I still value her higher than I would the *Beechy Head*. I might say, mind you, I am putting all these boats in as near as I can at the original cost figure, and when the engine was new I would presume that the cost value would be somewhere between \$12,000 and \$15,000 a piece—a little one way or the other.

Q. The gas boat?—A. Is the *Yolny*.

Q. What did she cost?—A. She was built a long time ago, but she has been well kept of course. She has I think a 27 horse power diesel gas engine. I do not know what the original cost would be, possibly \$3,500 or \$4,000. That is rather a rough guess.

Q. How many years ago?—A. We acquired her in 1918.

Q. 1918?—A. She was built some time before that however; many years before that.

Q. 1911?—A. Somewhere around there, yes, I should say.

Q. These other two boats, not the gas boat, would be suitable for seine boats?—A. Yes, they would be; except that they are no longer in demand, they are so much smaller than the seine boats they are now building that it would be very difficult to sell them as seine boats. The whole tendency in the new boats I think—if you will consult that paper that you were looking at a moment ago—may I look at the paper—I notice from the paper here that they are now building—this would probably give the committee.

Mr. MOYER: What paper is this?

The WITNESS: This is the "Pacific Coast News," the paper Mr. Neill quoted. It is published in Vancouver under date of February 18, and this will give you some idea of the increased efficiency of the Pudget Sound purse seine boats. They are all being built now of a very much larger and more powerful type. The Seattle ship yards, it says, will build the first all-steel all-welded purse seiner in the history of the ship building industry, according to an Associated Press report. The vessel will cost \$200,000 and will carry 300 tons of brine and fish, and will have a speed of 12 knots, and a cruising radius of 12,000 miles. It will be used in tuna fishing off the coast of California. They also use some of these powerful boats—perhaps not as large as that—

Q. That has nothing to do with the seine boat used in the local fishing waters of British Columbia?—A. No, but it has a great deal to do as indicating the tendency of the times, and the difficulty which you would have in selling as a purse seine boat a boat of the type of the boats I have mentioned.

Q. What did your pile driver cost you?—A. I have not the figure to answer that question, Mr. Neill; I am sorry to say I can't remember. I would hate to make an estimate.

Q. You can get a pile driver for \$2,500 can't you?—A. You can not, not one like that. I have in mind about \$5,000. Now, I am not sure—it is at least that much.

Q. When did you buy it?—A. It would be difficult to answer when we bought it, we practically rebuilt it. We first put in new gins.

Q. When did you rebuild it?—A. In the last year or so we put in two gins. And we put a new engine in her, probably ten years ago.

*By the Chairman:*

Q. I thought in your statement yesterday you gave an estimate of the cost of the pile driver?—A. Did I? I don't think I could have.

Q. And the engine of the driver?—A. I cannot remember accurately enough to testify. I am not sure I have that in the memorandum here. I do not think I have. No, I do not seem to have. That would be at least \$5,000, and I am not sure but what considerably more than that.

Q. What do you value the two deck scows at?—A. Oh, I can't answer about that closely enough, Mr. Neill; it would be a wild guess, you could probably guess as well as I could.

Q. What size are they?—A. This—every item on our list of floating equipment has been carefully kept, the original cost; and it is all set down on our detailed list and our auditors have checked up very carefully. They are a firm of reputable auditors; but I cannot go back now and undertake to recite our inventory with the cost price, but I am sure that the total is correct.

Q. The auditor does nothing more than take the books and check them against the invoices and so on?—A. That is all anybody can do.

[Mr. Chas. F. Goodrich.]

*By Mr. Taylor:*

Q. Who are your auditors?—A. Our auditors are the firm of Ismay, Boistone, Holden and Company.

Q. How long have they been your auditors?—A. They have been our auditors for probably 12 or 15 years.

Mr. TAYLOR: It seem to me, Mr. Chairman, that the statement of these auditors should be accepted in this committee.

Mr. TOMLINSON: Not necessarily; I should say that this is rather a matter of evaluation.

*By Mr. Neill:*

Q. It was reported by them here, the witness read the statement in their telegram, that they had taken these items out of the books; and insofar as that statement is concerned I accept it, but I reserve the right to question the accuracy of statements now—

The WITNESS: I rather resent that statement. I am sorry that you question the accuracy of the figures in the books.

Mr. NEILL: I say that we are at liberty to question; and by that I mean no reflection on this firm of auditors or on your company; but I mean it in this way, that we have a right to say here is a boat valued at \$20,000 and built over 25 years ago, and another built in 1911, and it is all put in at cost. What I am trying to get at is the present value of it, and the auditor has nothing whatever to do with that.

The WITNESS: Might I interject just a moment; the auditors have not stated that was the present value.

Mr. NEILL: But you did, you did it two minutes ago.

The WITNESS: I beg your pardon, I did not.

Mr. NEILL: It is no use going on with this witness if he is going to contradict what he said two minutes ago.

Mr. MOYER: Why not give him a chance to finish his answer?

Mr. NEILL: He said he was giving us the cost price, and now he says he didn't do that. Which is correct? Let us know where we are.

The WITNESS: I think if the reporter will read the notes he will find that it is Mr. Neill who was contradicting himself. He says now that I stated that I was giving him cost prices, which is precisely what I agreed that I did state. He goes further, he said that I was giving him the present market value.

Mr. NEILL: No. I was trying to get at the present market price and in an effort to get that I was asking you the cost prices of these items. I was getting from you the values. You can give me the values at cost price.

The WITNESS: Mr. Chairman, the committee has the report of our auditors, which I am willing to stand on. I am absolutely sure it is correct. I am giving you what they cost and the improvements we have made, and if the committee wants to make their own deductions for depreciation they are quite at liberty to make any deductions they like. I am stating the cost prices, which I did state in my original letter to the minister, and that is all I stated.

Mr. TOMLINSON: I think the witness should be very fair in giving us this information, because it is in his own best interests to do so. I think he should give us his own opinion as to what he thinks the present costs of these boats are.

Mr. McDONALD: For income tax purposes they would want to depreciate their equipment as much as possible.

Mr. NEILL: I would think so.

The WITNESS: I think any man here who is in business and has dealt with the income tax department will agree with me that we no longer keep our books, the income tax department keep them for us.



Mr. TAYLOR: Exactly.

The WITNESS: I was commenting on that the other day—might I ask, Mr. Chairman, that this be not put in the record.

The CHAIRMAN: The reporter will not take this down.  
Examination resumes.

*By Mr. Neill:*

Q. How many of these pot scows and dorries have you, Mr. Goodrich?—A. I do not know.

Q. Well, give us an idea, give us a guess?—A. I do not guess.

Q. All right. What about the pile puller?—A. We have no pile puller as such. I do not think you will find it listed there in the list of assets, Mr. Neill.

The CHAIRMAN: Yes, I think so.

The WITNESS: You will find it—now, just a moment—you will find it in the item of cost.

The CHAIRMAN: Yes.

The WITNESS: I will explain that. The pile puller is dismantled except when you are using it as a pile puller. The two deck scows were used as pile pullers. When we are through pulling piles—these two deck scows are fastened together and one donkey engine—there is apparently a mistake in the former evidence there, perhaps I inadvertently stated that we had a donkey engine on each scow.

*By Mr. Neill:*

Q. It is not the pile driver engine you use?—A. It is not.

Q. That has some value, the engine you use on the pile puller?—A. That is not listed. We do not even own the engine, that is owned by J. H. Todd and Son.

Q. Now, that adds up to \$47,000 of a cost price, the stuff that you listed at \$78,000. Now, will you average this down and give us the actual value, within reason, the present day value of this equipment. Could you tell us that?—A. I could not tell you that, because that would not mean anything if I did.

Q. Would it be fair on some of these things, say this boat which is 26 years old, if I were to take off one-half for depreciation?—A. Perhaps on some of them but not on all.

Q. Perhaps if we were to take them at half off—A. Off what?

Q. The total cost you gave me?—A. I said, some of the items.

Q. You would not allow half for a boat built in 1911?—A. Not for our purposes.

Q. You would not take 50 per cent off?—A. Not for our purposes.

*By Mr. McCulloch:*

Q. You keep these boats from year to year, and you keep them in pretty good shape?—A. Absolutely, yes. It is a recognized fact among all boat owners, and we see that our boats are kept up.

Q. In other words, if there was an engine in a boat that was not good you would replace it with a new engine?—A. Not only with an engine—I have already stated that we had replaced two with new engines—but there is a great deal of other work, like the elimination of dry rot from the hulls. There is this difference under ownership. Ownership makes all the difference in the world.

Mr. TOMLINSON: I would like Mr. Goodrich to give his opinion as to the amount at which he places the present value of this equipment at. He must know.

[Mr. Chas. F. Goodrich.]

The WITNESS: If you were running a business with the amount of machinery that we have and had to sit here and read that inventory from memory and give the present values I think you would find yourself in great difficulties.

*By Mr. Neill:*

Q. I suggested a depreciation of 50 per cent but you won't allow that, what do you think would be a fair over-all depreciation on all of this material?

—A. Oh, as a going concern I should think about 25 per cent to 30 per cent off would be enough.

Q. In all that length of time you would only allow 30 per cent off. I am taking your statement?—A. All right, we will still stick to the auditor's statement as to the original cost, however, if you please.

Mr. TOMLINSON: Well, you can stick to it.

*By Mr. Neill:*

Q. That would leave about \$32,000, and you started off with \$78,000?—A. I said, at the original cost price.

Q. Yes. And then to take that 33 per cent off would leave you \$32,000—based on the figures you quoted?—A. I quoted no figures at all, outside of my statement.

Q. You have quoted them within the last ten minutes. You said that the diesel boat was worth \$20,000, that another boat was worth \$10,000, another \$12,000, a gas boat at \$3,500 and so on; and that gives us a total of \$47,000. I took 33 per cent off that and it leaves approximately \$32,000?—A. I call your attention also to the fact that these boats when we originally bought them had very much smaller types of engines in them than they had now; that the new engines—in every case, of course, the cost of the boat added to the price by the difference between the value of the old engine and the value of the new one. The income tax people allow that.

Q. Well, I have taken your figures; and I have taken your estimate of depreciation, and that leaves \$32,000; not half?—A. I am not arguing about that. I am telling you that these cost figures were accurately arrived at from our books, and they have been verified by our auditors.

Q. They do not total up to \$78,000?—A. Because I have not carried them all at cost price as you have done. You have asked me to do that from memory, and I can't. The auditor can defend his statement, and I am sure he will.

*By Mr. Tustin:*

Q. What about the expenditures which Mr. Neill has been discussing?—A. That is under capital expenditures. This is the point: If you have a boat with a \$5,000 engine in it and that engine becomes worn out and you replace it with an engine costing \$7,500 the income tax department or any auditor will allow that you have made a capital expenditure of about \$2,500.

Q. Quite so, that is what I meant; have you any idea of what your capital expenditure amounted to?—A. I would not undertake to say. It would take quite a good deal of computation, going over the records; it can be derived at. It will probably take some days to do it.

*By Mr. Neill:*

Q. And then you might not get it. I can see that we shall have to arrive at it by ourselves. As we have it it is a very unsatisfactory conclusion. However, I will leave that and take up this next section, buildings and real estate, which I see have been put in at \$18,200.16, and I note that we were told yesterday that most of the buildings were erected in 1918. What did these buildings cost?—A. The real estate and buildings?

Q. No, the buildings?—A. I have not them segregated. I do not think—

Mr. NEILL: It seems impossible to get anywhere with this witness.

The WITNESS: Wait a minute, I may have it—no, unfortunately I have not—but the buildings are very much—they are by far the major item in that amount. What did you say the total was?

*By Mr. Neill:*

Q. The total was \$18,200.16?—A. \$18,200—I think if you were to put the real estate down for—mind you, this is an estimate, to the best of my ability, I won't guarantee the accuracy of it—I think you can put down real estate—it is somewhere between let us say \$2,000 and \$2,500; the rest would represent buildings I presume.

Q. That would be \$2,200, and you would have \$16,000 for buildings?—A. Yes.

Q. They must be enormous buildings that would be worth \$16,000. Did they cost \$16,000; do you reckon that that is what they cost?—A. I did not say they cost that, I say the entire item cost \$18,000.

Q. Yes?—A. And I estimate you can make a deduction of possibly \$2,000 or \$2,500 for the real estate.

Q. That leaves you about \$16,000 for the buildings?—A. All right.

Q. And that was 19 years ago, and wooden buildings depreciate; that was put in at the cost, of course. This land; you have 178 acres of land, what does it consist of?—A. I do not remember.

Q. What do you use it for; what is it assessed at?—A. We are only putting the land in—why should we go into the matter of assessment. I am only estimating it at between \$2,000 and \$2,500. Surely you won't question—

Q. I will tell you why I am asking that question—I think you are putting that 178 acres in so as to cloud the issue. What do you want 178 acres of land for when you are running a trap?—A. We don't want it. At the time we secured these fore shore leases it was represented that it would be necessary for us either to own the land or secure the owners' consent. Our predecessors, the B.C. Canning Company, thought it advisable in order to get the fore shore leases along by the Otter Point trap to buy this tract of land and we purchased the land from our predecessors.

Mr. TOMLINSON: What reasons did they give that you should purchase this land?

The WITNESS: I do not remember discussing any reasons. It was obvious.

The CHAIRMAN: I think possibly Mr. Found could tell us the reason why foreshores are needed before you can lease.

Mr. FOUND: That is a provincial matter, Mr. Chairman.

Mr. NEILL: That has nothing to do with that 178 acres. I am willing to allow that 178 acres as entered at a reasonable price at \$2,500. I just wondered why they wanted 178 acres in order to run a fish trap.

The WITNESS: We didn't want it to run a fish trap, and I was not connected with the company at the time. I do not think any man would question that. We have a provincial department you say that before granting a fore-shore lease they would want the consent of the upland owners to the granting of that lease. It was a necessary addition precedent to the obtaining of a licence. And they thought wise for some reason or other to get this land. We thought it wise to take it over from them with their assets.

*By Mr. Neill:*

Q. All right, you got it from your predecessor. You say this land has a value of about \$2,500 in the open market; has it got that value still?—A. No.

[Mr. Chas. F. Goodrich.]



Q. Why not, you bought it in the open market?—A. I did not say that that 178 acres was worth \$2,500 or \$2,000. I estimated the total value of our buildings and real estate as a going concern.

Q. When you said real estate you estimated between \$2,000 and \$2,500?—A. That is not all the real estate item. I never said it was. I mentioned that as one item of our real estate.

Q. It is the biggest part of the real estate. What other is there?—A. So far as acreage is concerned, yes.

Q. What other real estate have you?—A. The other is the tract of land on which our salmon cannery is situate. I call it the cannery site, which I think it is. It is the actual tract of land on which our cannery and warehouses are situate at Sooke, and also we have the use of the ground in which the manager's dwelling is situate. That, I think, constitutes—

Q. The real estate. It is all lumped together?—A. I am willing to believe that this \$2,500—

Q. It is not worth \$2,500 today?—A. Yes, but not tomorrow if these trap licences are discontinued.

Q. Why not?—A. Because there will be no village at Sooke.

Q. Won't there? These cannery buildings which you are now using as sheds cost about \$15,700 nineteen years ago. What would be the present day value of them?—A. You are as good an appraiser of real estate as I am. I am not posing as a real estate expert. As I said, as a going concern I think it would probably have a value of 50 per cent of the total that you have down there. How much is that, sir?

Q. \$18,200.—A. I think as a going concern you would probably be able to sell the real estate for about \$8,000 or \$9,000, real estate and buildings.

Q. It has depreciated?—A. That is an estimate.

Q. Real estate and buildings?—A. Real estate and buildings.

Q. Is it not customary to take off five per cent for depreciation on a wooden building?—A. For income tax purposes, yes.

Q. Or any other purpose? For bookkeeping purposes.—A. No.

Q. Don't you write off anything for depreciation?—A. For income tax purposes.

Q. No, for bookkeeping purposes?—A. You are talking of one thing and I another; we are going at cross purposes. I am trying to picture the actual selling value of this stock as a going concern. For example, I have in mind a house in Victoria—I formerly lived in it—the house is over twenty years old. For income tax purposes the owner of that house would be warranted, and undoubtedly does, take off five per cent, and if he keeps it long enough he will have it entirely written off so that he has no more depreciation to write off. If he were to have a fire the insurance company would not say, because you have written all this off on your books, it has no value, you cannot collect. If he was going to sell the house, nobody would say to him, I won't pay you any money for the house because you have written it all off on your books. It has a value on the open market today.

Mr. HILL: If it is kept in repair.

The WITNESS: Yes, right.

*By Mr. Neill:*

Q. Would the purchaser or the insurance man pay the cost price? He would want to deduct depreciation, would not he; he would look for the depreciation.

Mr. McCULLOCH: No, not if the house was kept in repair.

Mr. NEILL: He would get the full cost price after twenty years? You cannot replace those wooden buildings by repairing them. I have an idea of real estate. You estimate that it is worth \$9,000 in the open market to-day.

*By Mr. Neill:*

Q. We now come to material and supplies which you have put in at \$10,134.05. Would you give us the details of that, Mr. Goodrich?—A. Material and supplies consist mostly of—

Q. Piles?—A. The Sooke Harbour Fishing and Packing Company's fifty per cent equity in piles—

Q. What would you put the piles at?—A. I am not undertaking, Mr. Chairman, to recite our inventory from memory; I cannot do it; I regret it. I do not have that kind of memory. I know where the information is put, and I have ascertained the total according to our books, and I cannot undertake to enumerate from memory our inventory which is about as thick as that sheaf of paper which the chairman is holding in his hand.

Q. It consists of what? Tell us some of the things in it.—A. Piles, wire netting, cotton web, the last two items being grouped under the general head of web on our books, store room account, which is the general description for such items as rope—

Q. No, that comes in under miscellaneous. You have another item "miscellaneous."—A. I beg your pardon, Sir? I repeat, rope comes under the head of store room.

Q. All right.—A. Wire netting—correction, not wire netting, wire cable, wire lashing, rather; chain, including pile chains, hawse rings, oils and greases, commissar stores. I think, Mr. Chairman, these are the principal items.

Q. We shall have to accept the witness's statement, but \$10,000 is a good deal of money. You cannot give any details so we shall have to let it go at that. You have miscellaneous equipment put in at \$6,000. What does that cover?—A. Miscellaneous equipment put in at how much?

Q. \$5,977.45.—A. Well, there are a great many tools of various sorts for one thing, peavies, axes, all these miscellaneous tools they use in connection with this work, and then there is cook house equipment, which I think in this inventory runs something over \$1,000 if I remember right, hand saws—

Q. All right; we will accept that. Now, I want to go on to another item. I want to deal with the statements about the large number of people who are supposed to be wiped out of business and almost life itself if this thing ceases. Mr. Todd presents a statement which reads as follows: "Destruction of the whole community of Sooke comprising 300 people entirely dependent on the trap net fishing industry. Of this community 41 men with 160 dependents are directly employed in trap net fishing." That is his statement. On the petition of the employees which is found at page 15 of the evidence of this committee 41 names appear. Mr. Goodrich yesterday took exception to my claim that that was all the employees. He said it was taken at a time of the year when they were not all there, but the whole basis of this petition is these permanent employees are going to lose their jobs. They are said to be home owners and so on. I think I am right in saying that they represent 99 per cent of the employees.—A. May I interrupt just a moment. I want to correct you in one thing. I did not resent your statement that these men represent 99 per cent of our employees. As a matter of fact I think that they do represent almost all of our employees. I resented your statement that it was obvious that no man could possibly have been overlooked. I said there was a possibility; it was not obvious. It was possible that possibly two or three or four or five or half a dozen were overlooked.

Q. The petition is signed by 41 employees and states the number of dependents is 116, which is quite different from the 300 mentioned by Mr. Todd or the 160 which he says are directly dependent. Now, where can we find the home owners classified, the 27 home owners out of these 41? Would it surprise you, Mr. Goodrich, to learn that the directory of the locality only shows 18 fishermen as having homes there?—A. I do not know that it would.

[Mr. Chas. F. Goodrich.]

Q. I do not suppose it would. The petition shows 27 home owners, but the directory only shows 18.—A. A discrepancy of 9.

Q. No; the directory shows 18 as compared with 27 in your list.—A. That would be a discrepancy of nine, would it not?

Q. Yes?—A. We have some men working for us who have homes in Victoria and others who have homes in Sannich, and they work in the fish traps the entire year.

Q. They are not all home owners in Sooke?—A. Well, perhaps technically not; at least Mr. MacFarland overlooked that particular item, and I never thought of it until you called my attention to it.

Q. I should like to go at greater length into these things but I must hurry on and get as much as I can. On this list I see a gentleman named Wilson. A. L. Wilson is one of your employees in the petition, is he not?—A. He is. He has been employed by us at certain times of the year, yes.

Q. He is on the list. That is all right?—A. All right.

Q. He is also a guardian on the fish traps during the season?—A. Yes.

Q. Do you think that that is a good thing?—A. No.

Q. Why is it done?—A. Because Albert Wilson is a returned man and a cripple, and he worked for us before he ever worked for the fishery department and we have work for men during the early part of the year before the fish traps are in operation, the class of work that Albert Wilson was familiar with and was very satisfactorily efficient at. And he applied to us for work before he went to work for the government in the spring, and when the government had work for him he resigned and quit.

Q. You have already stated that you did not think that it is a good arrangement?—A. I think it would be much more desirable if he could have had employment for twelve months of the year from the government but they have not been able to do that.

Q. Has your attention been called to Mr. Dickie's letter which is on file, dated July 21, 1935, in which he says: "... I was fully convinced that irregularities prevailed at Todd's traps. ..."—A. Who is Mr. Dickie?

Q. The ex-member of the district. Has your attention been called to that letter of his?—A. No.

Q. Cannot you give Mr. Wilson work during the season, and have someone else as guardian who has not been your employee. As you say it is wholly undesirable to have a man overseeing the closing of these traps whose employment for a part of the year depends on your goodwill. You think that is not a good arrangement.

Mr. MOYER: Mr. Wilson is not in the company's employ at the time he is working for the government.

Mr. NEILL: Quite so, but his livelihood depends on this company to a large extent. I shall let it go at that, and go on with something else. Yesterday, I think it was, you quoted an anonymous broker in Vancouver, as sampling a can of your pinks. Do you remember that, Mr. Witness?—A. Yes, I do, Mr. Neill, I remember that.

Q. What year pack would he be referring to?—A. To—

Q. 1936?—A. No, it would not be 1936 because there were no pinks packed in 1936.

Q. It would be the previous year?—A. Yes, it was some of the 1935 pack.

Q. He intervened all of a sudden eulogising the pack you put up in 1935?—A. I do not think there is anything at all surprising about that, Mr. Chairman, if Mr. Neill will allow me to read something which appears here in your report on page 86 of No. 3.

Q. Unless it has some bearing on what we are discussing I want to get on.—A. I do too; but since you have brought up the question of quality I think I would like to show that this is—



Q. I think you are here to answer the questions. Presently you are going to choke me off. The witness is just taking up the time because he does not want this investigation?—A. That is not true.

Q. Will you answer my questions, and do not ask questions?—A. Mr. Neill, has read from the newspapers and elsewhere, and I should like the opportunity to read this. I should like it read out loud as a matter of courtesy. The matter to which I refer appears in No. 3—

Q. I will stay here all week, I don't mind?—A. No. 3, page 86, a letter from George S. Pearson, Commissioner of Fisheries in the province of British Columbia.

Q. What is the page?—A. Page 86 of No. 3. It is not very long.

Q. Go ahead?—A. I should like to read it out loud. It is hardly worth reprinting as it is already here.

DEAR Mr. FOUND, I have been discussing with Mr. Alexander the matter of trap licences as they to-day exist in British Columbia.

I understand that there is some pressure being brought to bear upon you to cancel these licences, but I am of the opinion that some caution should be shown in taking such action. As you are aware, while there were a great many trap licences in British Columbia at one time, the number is reduced to five and I believe these are all in the hands of J. H. Todd and Sons and are in the vicinity of Sooke and the sole source of supply of the Empire Cannery at Esquimalt. In connection with this cannery is also operated a can-making plant which gives employment to some people during the winter season. As a matter of fact, there is quite a little community in the vicinity of Sooke which is dependent upon this industry and which I am advised would be closed down if traps were removed. I am also advised that of the total catch of Fraser river sockeye about two per cent only is got by these traps, so the influence they have upon the total catch is very little.

I quite realize that the argument that the Americans have discontinued the use of traps does seem to take away from us any argument for retaining this system, but I think you will agree with me that we are not definitely assured that the Americans will not reinstate the trap system and I can hardly believe that five traps taking two per cent of the catch are likely to be of any particular influence in this regard.

Should we discontinue issuing trap licences on this side of the line I should be inclined to agree that the practice would not be again re-established, and this is all the more reason why caution should be shown in taking the step, as I am of the opinion this would do a great injustice to a canner, who in my opinion is one of the best if not the best in British Columbia, and a small community which is dependent upon the product of these trap licences.

With kind regards,

Yours very truly,

(Sgd.) GEO. S. PEARSON,

*Commissioner.*

Q. May I go on now? That letter has nothing at all to do with the subject under discussion.

Mr. GREEN: Mr. Chairman, this is not a one-man show yet. Is the Mr. Pearson mentioned the minister of labour for the province of British Columbia?

Mr. NEILL: You know perfectly well he is. What are you asking for?

*By Mr. Neill:*

Q. He is the commissioner of fisheries?—A. Yes, that is true.

Q. The present minister of labour.—A. George S. Pearson.

Q. Now, Mr. Goodrich, this is at your expense. Your time is being taken, not mine. I do not care if we stay here all summer inquiring into this matter. The letter you read has nothing whatever to do with the question I asked you, but since you have introduced it I should like to ask you this question. Remember, you are on oath. Are you not a nice cannery man? Mr. Pearson refers only to Todd. Are you not a nice man also? Why does he call attention to Mr. Todd?—A. All salmon are canned and sold—

Q. Don't you think Mr. Pearson is discriminating against you? Why doesn't he include you in his eulogy?—A. I did not think about it in that light. I shall explain very briefly, if the committee is interested, all salmon are canned and sold at Mr. Todd's cannery, and as I explained to you before, under Mr. Todd's label, therefore, so far as Mr. Pearson is concerned he would only know Mr. J. H. Todd.

*By Mr. Neill:*

Q. I think Mr. Pearson should have included you as a nice man, I think you are a nice man; so, why not put it down. The question I was trying to make with you was how Mr. X a broker in Vancouver highly praised your canned salmon. Then you interrupted me and you told me that Mr. Pearson said that Mr. Todd was a nice man, and I have told you that I think he should have included you in that. There is a salmon inspection board at Vancouver, and it is the duty of that inspection board to determine the appropriate grades of the product. They examine one lot and they determine from its apparent quality that it is No. 1. Then they examine another lot and they determine from its apparent quality it is also No. 1, and to that extent the two lots are equal?—A. Not necessarily equal.

Q. If one lot is No. 1 and the other lot is No. 1 then it follows necessarily that they are equal?—A. Yes, well—

Q. They are first class in every way?—A. Yes.

Q. Why this nonsense about bringing him in to say what your brand is; all he could do would be to say that it was No. 1.

Mr. TAYLOR: At the same time, it is not all examined and there would be some—

Mr. NEILL: It is all examined. If it is No. 1 it is No. 1, and that is all there is to it.

Mr. TAYLOR: That is childish, absolutely childish.

Mr. NEILL: I think so.

Mr. TAYLOR: If Mr. Neill knows the salmon canning business he knows that the inspector must know exactly what he is talking about, and he must know that when a man investigates salmon in the tin he knows precisely what he is dealing with and he is able to differentiate between one class of salmon and another. And I do know what I am talking about when I say that there is an extreme difference between two kinds of salmon. I know of one case in which there were 6,000 cases of salmon sent to Manchester in 1923 which was reported on as bad over there, and yet on this side it was classed as excellent salmon. It had to be seen and labelled for export before it could be put on the market as excellent salmon. Anybody who is familiar with the salmon canning business knows, and I am sure Mr. Hanson will corroborate this, that any of these expert English buyers will examine two parcels of salmon which have been classified as No. 1 and they will accept one at an advance in price of 25 to 50 cents above the other which has also been graded No. 1 for our purposes. Often they would not accept it at all for export. That is what I am trying to explain.

Mr. NEILL: If Mr. Taylor is going to make speeches every time I start to question the witness I will not be able to get through.

Mr. TAYLOR: Mr. Chairman, I protest.

Mr. NEILL: Oh, go ahead.

Mr. TAYLOR. Is this Mr. Neill's committee or is it a committee of the house?

Mr. NEILL: Then, I will quit.

The CHAIRMAN: It was agreed yesterday, with respect to the evidence by Mr. Goodrich, that Mr. Neill would try to get through with his examination to-day, and when the committee opened we agreed to endeavour to give him an opportunity to do so.

Mr. TAYLOR: When I see a lot of silly things taking up our time I simply can't contain myself sometimes.

An. Hon. MEMBER: We haven't all got the same brains that you have.

Mr. REID: I have one or two questions which I would like to ask the witness before he leaves.

*By Mr. Neill:*

Q. Mr. Taylor was speaking about some salmon which proved bad in 1923; was there any government inspection in 1923, Mr. Goodrich?—A. I think not.

Mr. NEILL: That answers Mr. Taylor.

*By Mr. Neill:*

Q. Now, I am coming to another subject: The impression has been given here again and again that the reason why these traps should be allowed at this particular place is because that is the only way in which the fish can be caught, that there are no other fish that are catchable; I will refer to page 255 of Hansard, where the minister is reported as saying:—

I am told that the fish in those waters cannot be caught by any method other than trap fishing.

Then, in report No. 5 we find the same idea being followed out by Mr. Goodrich—I find that report is not up yet—anyway, he says in his brief:—

The fact that this mode of fishing has been permitted—it is due to the fact that the southwest coast of Vancouver Island is the only area where it affords the only practical means of taking salmon.

Then I have a telegram here which was sent by Mr. E. Larum, President of the Kyuquot Fishermen's Association—I may say that this was received only the other day—and in it he says as follows:—

Eric Bostrom a Kyuquot fisherman some years ago fished in the immediate vicinity of the Sooke traps and in one month caught by troll six hundred dollars worth of spring salmon stop This can be substantiated by exact dates and signed by fishermen.

May I add that Mr. Larum is a highly reputable and thoroughly responsible man.

The WITNESS: What year was that, Mr. Neill?

Mr. NEILL: He says, some years ago.

The WITNESS: These traps have been operating continuously since 1904 and evidently did not prevent Mr. Larum from making \$600.

Mr. NEILL: Oh yes, I thought you would say that. I was just waiting for that.

At page 120 of our report No. 3, you will find a wire from the same organization, under date of January 30th, which reads as follows:—

[Mr. Chas. F. Goodrich.]



We protest against traps as it is privileged and destructive fishing and therefore illegal Stop Trap locations are fine fishing grounds for seiners and trollers Stop Seiners and trollers fishing every year at trap locations.

Now, listen to this:—

But the privileged permanent location of traps obstruct operations for other mode of fishing.

That is the answer to your question, Mr. Man.

The WITNESS: Why didn't they obstruct Mr. Larum then?

Mr. NEILL: I have here in my hand a statement put forward by Mr. Found, or rather by Mr. Motherwell, which gives the catch at the Sooke traps in the year 1936, and it is authentic.

The WITNESS: Might I reconcile that statement which might leave a wrong impression on the mind if not straightened out? The authority quoted, Mr. Larum, is a troller, and the cannery fish, the sockeye and the pink as well as the dog don't take the troll at all, so that so far as commercial fishing—maintaining the cannery—you could not get anything from the trollers that would keep your cannery running. It has always been admitted that there are some trollers around there, with whom by the way we are on the most friendly relations, and we always assist them in every possible way.

Mr. NEILL: In this record that I have before me there are a number of different varieties of salmon, there are I think seven in all—sockeye, springs, bluebacks, steel heads, cohoes, pinks and chums—and it might surprise the committee to know that of these seven only three varieties will not take the bait. these are the sockeye, the pinks and the chums; the bluebacks, steel heads, cohoes and springs will. Now, I do not want to bother you with figures and the witness will contradict me if I am wrong, but I find that in that year 42 per cent of the catch was sockeye and 17 per cent of the fish were either springs or steel heads, which are valuable fish that sell at anywhere from \$1.75 to \$2 each. Yesterday we were told that 17 per cent of the catch last year were springs and steel heads, and he stated that each of these fish would weigh around 25 pounds; if you multiply them together and then price them at 10 cents a pound—and they are selling at 18 cents a pound right to-day—but price them at 10 cents a pound and there was \$43,000 which that firm made out of these springs and steel heads which he says it is almost impossible to catch there at all; you must use traps to catch sockeye. Yes, you can get sockeye, and you can also catch springs and steel heads; so that, taking them at the lower price of 10 cents a pound, they made a little take of \$43,000 on that. But, we will take the comparison still further. I took just the springs and steel heads because they are valuable—

The WITNESS: I would like to answer that.

Mr. NEILL: No, not until I have finished.

Mr. MOYER: You are covering quite a lot of material in one question. I think the witness should have a chance to give his answer.

Mr. NEILL: Well, go on; never let it be said that I did not give a man a square deal.

The WITNESS: In order to authenticate my statement of yesterday about the price of springs. Mr. Neill here has quoted an article giving the price of fish as reported in the West Coast News, and he left it for the committee to infer that that is about the right price.

Mr. NEILL: I did not infer that, I accepted 10 cents.

The WITNESS: Which he now puts at 10 cents, but I would like to read the rest of the article, it will only take a minute. Here is what it says—

Mr. NEILL: That is not the West Coast Advocate, to begin with. You said it was.

The WITNESS: I said it was the Pacific Coast News, or I mean to.

Mr. NEILL: No, you did not.

The WITNESS: It reads: "The Co-operator 1, Kyuquot Trollers Co-operative Assn., landed the first trip of the season here to-day—200 pounds of kings and 700 pounds of cod fish. The trip was sold to Spouse and Sons at 18 cents per pound for kings." Is it any wonder they are selling at 18 cents a pound when their total catch for the trip was only 200 pounds? That is the reason they are 18 cents a pound. Now then, these springs I quote at 7 cents a pound, the current price in Seattle, and it was generally conceded that we got an excessively good price for our red springs in Seattle—last year it was 10·5 cents a pound, dressed headless delivered in Seattle duty paid—10·5 cents. The duty on that is 1·5 cents a pound. That left you 9 cents the pound delivered in Seattle. Dressing the salmon, heads off—they always dress them that way so as to reduce the weight to a minimum and save duty—the salmon will lose approximately 20 per cent between the round weight and the dressed weight. Then, out of 100 pounds of round salmon that you dress head off you will have 80 pounds to sell. Eighty pounds out of 100 at 9 cents a pound gives you 7·2 cents a pound. That was the figure that I used for red spring salmon yesterday, and on a 25 pound average. However, there is not much doubt I think about the 75 per cent of our catch which are red salmon. The others are white salmon and they are only worth about one-half as much. So that I think Mr. Neill when he uses that estimate of 10 cents a pound is not correct.

Mr. NEILL: Ten cents a pound was the rate used yesterday.

The WITNESS: I think I said they would average 25 pounds, or \$1.75.

*By Mr. Neill:*

Q. You said 10 cents a pound yesterday. Don't you sell in Victoria—springs and the like?—A. To a very small extent.

Q. Do you sell them at 9 cents?—A. I do not remember.

Q. You would get a bigger price in Victoria?—A. Yes, but for a very small quantity. The bulk of our fish go to Seattle, only a negligible amount is sold in Victoria.

Q. Well then, we will not use this amount of \$43,000 based on the price of 10 cents, we will take it at 9 cents, if that will make it any better for you, and that will give you an amount of \$42,000. I would say that \$42,000 would provide a pretty good living for 40 fishermen and their families. I was going to go further. I did mention the price of steel heads because they are an expensive and valuable fish, and there is another fish mentioned there which is also valuable, although they are not so expensive and not so big, the cohoes. If you take the springs, the steel heads, the blusebacks and the cohoes you will find that with respect to the catch at Sooke in 1936 they furnished 52 per cent; and all of these are varieties that could be caught by bait and by trollers, and only the difference, the 48 per cent of these fish, are of the varieties which he tells us justifies the cannery because that is the only way you can get them; but 52 per cent of his catch in 1936—and I state that without fear of the slightest shadow of contradiction—were of a kind that you could catch by troll, of a kind that would have kept a white population there instead of a little steel trap and some wire, by means of which his plant was kept going.

Mr. MOYER: Is that your question, Mr. Neill; we want your question.

Mr. NEILL: I will put it in the shape of a question.

*By Mr. Neill:*

Q. Doesn't he think if he didn't get that 52 per cent of the fish which can be caught by trollers that he would maintain a desirable group of troller fishermen in these waters?—A. I am certain otherwise.

Q. That is your opinion after hearing the wire I just read from the troller association?—A. Yes.

Q. Having cognizance of that wire you answer it is impossible?—A. Absolutely.

Q. Impossible?—A. Did I say absolutely impossible.

Q. You said impossible?—A. You asked me, if our traps were out if that would not sustain a white population trolling there.

Q. Yes?—A. Would we get the same quantity of fish by other means?

Q. Of comparable fish?—A. You have got my answer, sir.

Q. All right. Now we can go on, and I want to deal with a doctrine, for it is nothing but a doctrine, that the canneries would quit if the traps were stopped. Mr. Todd wired us to that effect and Mr. Goodrich at page 55 of our report said practically the same thing, he said:—

If we did not have traps we could not operate a cannery where we are now. It would not be practicable—if you are going to transport your supply of fish regularly from the Fraser river to the place where our cannery is located the logical thing and the correct thing to do would be for you to dismantle your cannery and move your machinery down to the Fraser river so that you would get your fish fresh.

The point you make there is that when you get your fish in a certain area you should have your cannery in the same area. Now, on page 48 of our report, Mr. Goodrich is reported as saying:—

In 1936 there was a surplus for the first time in many years of sockeyes on the Fraser river, more than the canneries there could take care of, and we bought some of the surplus, bought them from the Fraser river.

And later on I asked him if he brought any from the west coast and he said yes, that he bought them from Joe Badcock, from the west coast. And further on he said that the distance from the Fraser river would make it undesirable because they would get them soft. Here it is:—

Without discrediting the Fraser river canneries, we have a good reputation for our fish and we do not like to prejudice it by taking fish which might be more or less soft or stale if brought from the Fraser river.

Only he did buy from the Fraser when it paid him. Now, I want to show you this map. Where is that map? This is the map. It shows the fishing areas now operating, all these little spaces are fishing areas. Here is where this cannery is, in here in area 20. Here is the Fraser river up here. He brings fish back here, around to here. There is also evidence that last year they took 11,600 cases, which, multiplied by 12, would give you a large amount of fish from here, the Fraser river to Seattle, which is a distance of 125 miles; so that if they could carry them that distance, surely it would not hurt to carry them this distance to Sooke. I am showing you the various areas—21, 22, 23 and 24; these all produce fish and many of them produce sockeye. In these areas, in /34 and /35—these four areas in that little bit there—from there to there—they produced 183,000 fish, that is an average of over 90,000 each year. Well, at Sooke they only caught 44,000 sockeye—if they only want 44,000 to keep them going could they not compete in this market which is going past their doors into the Fraser river, nearly all of it—there is a small cannery up here, but the bulk of this fish goes to the Fraser river, it passes the Esquimault cannery.



Now, they could do that, and there is your supply for the cannery. They say the canneries would go out of existence. Why? If 43 canneries can run in British Columbia without a trap license, why can't this one. There is the fish, there is the record of the amounts of fish caught in that area last year; three times what he needs to run.

MR. MOYER: It strikes me that Mr. Neill is addressing the jury while the witness is still on the stand.

MR. NEILL: Yes? It is giving him the advantage of an opportunity to contradict me. I am going to quote his own evidence at page 94; here is a letter from the Clover Point Anglers' Association which says:—

We are very pleased to notice that the Sooke fish traps will be closed down next year. It will be a boon to many small fishermen who depend upon salmon trolling off Victoria, as well as preserving the fish from gradual extinction in this district.

It is a fact known to old residents, that for many years past the fish have become less and less, both for commercial and private trollers, hence it is time something drastic was done.

Every endeavour is being made to attract visitors to this part and salmon trolling is a big factor in their coming.

And then at page 119 we find a letter from Captain G. T. Whitla, in which he says:—

A short time ago an article appeared in *The Daily Colonist* in which it was stated that since the American traps were removed over 10,000 sportsmen in Washington have taken up salmon fishing. Consider what this must mean to boat builders, machine shops and shops which sell fishing tools, etc.

I sincerely trust that the government has at last realized the vital necessity of closing all traps.

A few men will lose their present jobs at Sooke, but it will benefit hundreds of men who have been forced on relief through the scarcity of salmon.

Then on page 120—there is just one more quotation. I see that is one I have already quoted from which refers to the traps being illegal because it is destructive to the fish. Then I have quoted a wire this morning saying it is possible to troll there, but I have dealt with that. Now then, we heard Mr. Hanson tell this committee that he would like to have a trap, because if he had a trap he could catch all the fish he needs with twelve or fifteen men where now he has to depend on his supply from some 300 or 400 fishermen. Now, in view of all this material, and in view of all these statements do you still maintain that it would be impossible for you to operate your cannery if these traps were taken away from you; I do not state that it would be as profitable for you; but, could you not operate?

THE WITNESS: The cannery could be operated were it not for the fact that canneries are operated primarily for the purpose of showing a profit. There is no question but what if you wanted to operate your cannery and run up there into the district Mr. Neill has pointed out on the map—you would be just one more competitor there in the field buying from the fishermen up their way where there are too many buyers already. You might get some, enough to more or less keep you running, but I think you would do it at a great financial loss, without any benefit to us and none in the districts who already have more buyers than necessary to take care of their fish; you are just entering a competitive field and carrying the fish a great distance, whereas if you were going to run—the point is, no sane man who intended to run in that particular district where he

[Mr. Chas. F. Goodrich.]

showed you for a supply of fish—why would he operate his cannery at Esquimalt? Why not take the cannery up where the fish are? It is the logical thing to do; you have got to recognize that. You are not advantageously situated with a cannery at Sooke. You would have that heavy buying expense. Take your cannery where the fish are.

*By Mr. Neill:*

Q. Don't the fish that have to go to the Fraser river have to go past your door?—A. A lot of the canneries that have been operating up in that district have had to close, they could not make it profitable.

Q. Couldn't you buy them as they passed your door on the way to the Fraser river?—A. If the quality was satisfactory to us we would be very glad to buy them.

Q. Now I come to a very specific question. I want to ask, Mr. Goodrich, what do you value your trap licences at?—A. How do we know?

Q. Who should know if you don't? What would your trap licences be worth if you are going to get them next year?

Q. If they were in the open market to-day what would you value your trap licences at; what amount of money would you ask for them? That really is the value in the whole thing, isn't it; the licences and the site? Your whole business isn't much without the licences, is it? If the department were to take these licences away from you—A. When the department takes the licences they are chopping off your head. If the department destroys our industry at Sooke there is no other area where we can take our equipment and resume our type of industry.

Q. I am not asking you that. I am asking for a specific answer to this question?—A. I do not know. Trap licences have not been sold in a great many years. I do not know who you would get to buy them. I do not know their value, any more than you do.

Q. I have an idea of the market value of them. Would you take \$10,000 apiece for these seven trap licences?—A. I do not know what.

Q. That is the two companies together?—A. I do not know what Todd would do, or consider. Ask me questions with regard to my own company.

Q. Would you take \$10,000 apiece for them?—A. Absolutely, yes.

Q. There are seven of them?—A. Seven of them? Not that we own.

Q. You were speaking for all the companies?—A. I do not say I could get it. I do not say that is the right value.

Q. I will put it this way, isn't the whole value of your investment dependent on the licences; isn't it the licences that make the value?—A. Obviously anybody knows we could not operate a fish trap without a licence. That is obvious. That is what makes this question impossible—it can't mean anything else.

Q. Trying to operate without a licence would be like trying to sell an hotel without a beer licence. That licence is absolutely essential to you and if you were to offer those licences for sale you could get practically any figure you wanted to ask. As a matter of fact, these licences are very valuable to you, all important?—A. I do not know.

Q. Oh, my!—A. They are vital to our business, absolutely; you could not operate without them.

Q. Then they have a very tangible value. I ask you what it is?—A. All I can say is that we will be wiped out if this legislation goes through.

Q. Very well, I will say it is most valuable. It is supposed to be something intangible but it is something which allows you to make a profit over a period of 18 years in good times and bad times such that you are able to pay income tax to the extent of \$6,200 a year, between the Dominion and the provinces?—A. Much more than that \$6,000 odd—

Q. No, you have included some \$1,000 for licences yesterday, but I wanted to be fair with you so I just took these figures relating to your income tax payments.

Mr. TOMLINSON: That is per year?

Mr. NEILL: Yes, the average per year, in the good years, the bad years, and all through the depression the average was \$6,200. I assume some years it would be larger than that and some years it would be much less; but on the average on the basis of the figures given by yourself that is what you paid, \$6,200; and at the ordinary rate that would indicate an annual average profit of between \$50,000 and \$55,000. Not bad for an investment of \$23,000?—A. Not the way you are figuring, Mr. Neill; you can't do that.

Q. I can't do that?—A. I showed you yesterday the history of three particular years one of which was the most prosperous year we ever had, one was an almost even break and one was one of the worst we ever had.

Q. They were three consecutive years?—A. They were three consecutive years? One was one of our most profitable years, one was an ordinary year, and one was a very unprofitable year, with a result that we had left after having paid \$35,000 to the two governments almost precisely \$35,000. On the basis then of these three years that I showed you, which is simply an illustration—but you undertook to go and then work out in many instances—the only fair place that you could get for computing that figure would be over a long period of years. This figure of \$6,000 is based on these three years.

Q. That is all on the record?—A. All right. Don't read anything else into it then.

Q. You say I should not pick out three years specially in a business like fish that goes up and down; all right, is it not fairer to take the average over 18 years, and taking the good years with the bad, and doing that it showed a net profit equivalent to \$55,000 per annum. Now, I want to ask you this? You got notice that your licence would be stopped for 1936, did you not? You got official notice to effect a year ago?—A. It is a matter of record.

Q. Well, you got it, and you got busy and got Mr. McFarlane, K.C., to draw up a brief and so on. What was the essence of your grievance? First of all you stated as a point of fact that when they had traps on the American side they caught so much more, but that was before 1935 when they took away the traps on the American side; so that argument falls to the ground. Again, when there were no American traps, that was another argument that we should have them, because there was no telling but what the Americans might have their traps back to-morrow—

Mr. MOYER: Is that a question, Mr. Neill?

Mr. NEILL: I am leading up to it. Now, what was the result in 1935 and 1936 of the Americans stopping the use of traps? Has it not resulted in a large reduction in the total catch of salmon which is good for consumption? The net result was an enormous increase in the volume of fish we caught. The American take fell away very substantially. We caught a lot more fish and the Americans a lot less. Now, the next argument was that the cannery would close down because they could not catch fish. I have shown you where they could get fish. Then, as your last argument you say that some 41 men would be thrown out of work. Well, the answer to that is found in the statement which was made by Mr. Hanson the other day when in reference to his own plant he said that if he could use traps he could catch all the fish he needed with from 12 to 15 men where at the present time he has to depend on the service of from 300 to 400 men. All credit should be given to Mr. Hanson. Then, by way of further argument you presented a number of petitions. One of these was from the employees, 41, naturally. And then another one was from 194 people also of local concern; but taken altogether the weight of names was not very considerable. Nothing was said by you about the 1,800 fishermen

[Mr. Chas. F. Goodrich.]



and others who signed the petition the other way. What were your resolutions, and who were they signed by? Not fishermen alone, judging by the material presented.

Mr. MOYER: Have you finished with the witness?

Mr. NEILL: No, I want to ask him this. You presented these petitions which I am talking about.

Mr. MOYER: You are not examining the witness then.

Mr. NEILL: You can surely put your premise so that the question would be fully understood. One resolution was from the Sooke Athletic Club. In connection with this no number of signatures was indicated, and it was obviously of local interest. Then another was from the women's auxiliary of Holy Trinity Church. I can get one from the Holy Rollers church if that is needed. And the next one is a resolution from the Sooke Badminton Club who are not yet organized but they said that if the traps were taken away that the club could not possibly exist. Do you not think it would be more desirable to have a white population there who would be available to protect our shores in time of need. Do you think it is worth while that in the interest of the badminton club should weigh in the balance as against all these broader interests? You can answer this as well too, I just want to ask you this question; are you in favour of government ownership and operation of all industries—I will ask that directly.

Mr. TAYLOR: Would he not be on sound ground there?

Mr. NEILL: I want to ask him this: are you in favour of government ownership and operation of all industry? Then this; in view of these days of change and discontent when forces are at work which demand production for use and the taking over of all business by government—

The WITNESS: No, I am not. I do not know that that has any bearing.

Mr. NEILL: I am glad to say that I entirely agree with you now.

The WITNESS: All right.

Mr. NEILL: Then this question; as you are not in favour of government ownership and operation of industry. You know what conditions are to-day, the discontent and the demand for government ownership and all that, would you be in favour of this; would you agree that these valuable assets should be auctioned off say every five years so that the bulk of this unearned increment should go to the public who are or should be the real owners, instead of the people of Canada being given a mere paltry \$150, which does not even pay the cost of the inspector who looks over the traps. Would you be in favour of auctioning these traps periodically?

The WITNESS: No, I would not favour it.

*By Mr. Neill:*

Q. You would not be in favour of it?—A. No.

Q. I will ask you one more question and then I am finished; and may I assure the committee that I appreciate very much your courtesy in giving me the attention they have. I will just ask you this last question. I regret that I have not had more time, or that I was not better prepared to present the case; but I will ask you this one question which perhaps might have been better given at the beginning than now, because to my mind it is the crux of the whole thing. Mr. Goodrich, since you came down here have you from anyone either directly or indirectly received any assurance that there was no need to worry, your traps would be secure—directly or indirectly have you had any assurance of that kind?—A. No, I have not.

*By Mr. Reid:*

Q. I think you mentioned that the total capital of your company was \$24,800; am I right in that?—A. No, there might be a distinction drawn there, Mr. Reid, between capital and capital stock. Somebody asked me what the capital stock of our company was.

Q. The reason I asked you that was so as to be absolutely correct. It would appear then according to your own books and as shown by the three average years in which you indicated a profit of \$11,000 that this would amount to about a profit of 50 per cent annually on the capital outlay, for the three years quoted by yourself.

Mr. HILL: If he shows that he must have been a good business man.

Mr. REID: Yes and one year he made a profit of \$107,000.

Mr. MOYER: Just a moment, Mr. Reid; the witness wanted to correct you there.

Mr. REID: Yes?

The WITNESS: I think I made it clear, Mr. Reid, that the three years mentioned included one year which was one of the worst we ever had, one which was phenomenally good possibly the best year we ever had, and one year in which we had practically an even break.

Mr. REID: Then, accepting that statement, your profit of 50 per cent on the actual capital invested was fairly good. I was looking up the statement he made yesterday because he was talking about the price of salmon. I looked up the prices you received, and also the average cost of your traps, and you gave it as 62.5 cents per fish. The reason I asked that is because when Mr. Goodrich came before the committee he presented every member with a copy of the sockeye salmon pack only, and I feel sure after listening to the remarks of some of the members that many of the members have the viewpoint that the trap owners are particularly interested in the sockeye salmon only, and that the sockeye catch is only 2 per cent of the catch why worry about the traps. My chief reason for asking the price was this: your great catch on salmon is altogether sockeye, but in the other varieties as well. I note from the records here, given by Mr. Motherwell, that in 1935 you caught 12 per cent of the cohoes and 5 per cent of the chums, of the catch going to the Fraser river. Now, that gives us a little different picture, or at least I believe it does; and I believe it is important because I think members of the committee got the impression that we were dealing exclusively with sockeye salmon whereas the reverse is true. While it is true that 2 per cent of his catch is sockeye the fact remains that in 1935 these traps caught 12 per cent of the cohoes and 5 per cent of the chums.

Mr. GREEN: May I ask if this is the Canadian catch or does it include the American?

Mr. REID: It is the Canadian catch, taken from the Fraser river waters. It is very difficult to obtain the amount of the catch of other varieties accurately on the American side.

Mr. GREEN: The figure 50 per cent on the sockeye includes the American.

The WITNESS: I regret very much—in regard to cohoes—I thought I had a note here in my pocket containing some figures in regard to the coho salmon, but some way or other I am not able to put my hand on it.

Mr. REID: At any rate, I am quoting from Major Motherwell's figures.

Mr. MACNICOL: That was not taken into account in connection with the American catch so that it would not actually have very much relationship to the 2 per cent.

Mr. REID: Here is the coho catch.

[Mr. Chas. F. Goodrich.]

The WITNESS: In order to get the picture of the cohoes you will have to do precisely the same as you did in regard to the sockeye. You will have to get a list of all the landings in Seattle—practically all of these cohoes are caught in the Pacific ocean and landed in Seattle—but the difficulty with the coho catch is that it is very difficult to assemble all of these figures so as to get a comparison. I have computed myself the amount of the catch in regard to sockeyes and pinks which are easier because practically all the sockeyes and all the pinks are canned; but the coho is a fish which goes into cold storage so much that there are so many different sources from which to get that information. But I do remember from these figures that the landings in Seattle from ocean caught fishing were very much heavier than all the traps. I am quite sure that the average would not be unfavourable to us if it were possible to get it.

Mr. REID: Well then, take the figure given as 2 per cent; we will take the Fraser river catch and forget about the 44 per cent of sockeye caught in the traps—that is, 44 per cent of the catch at Sooke.

The WITNESS: I beg your pardon?

Mr. NEILL: In the Sooke catch they formed 44 per cent of the total.

Mr. GREEN: What is the right figure on that? That figure must be wrong.

Mr. REID: That 44 per cent figure is not quite a correct one. I would ask that it be corrected so as to show that it is 44 per cent of the catch at Sooke. In making that statement we should have the percentages of both the Canadian and the American catch. It should be indicated that 2 per cent of the sockeye catch was taken in the traps at Sooke.

Mr. GREEN: Is there any question that the figure of 2 per cent is correct with regard to sockeye?

Mr. REID: No, I do not think the question has seriously been raised; at least I would not raise it seriously.

Mr. GREEN: You think that 2 per cent would be fair?

Mr. REID: Yes, but only in regards to one variety, namely sockeye. I rather gathered from sitting here that the impression the committee got from what the witness said was that from his point of view they only represented 2 per cent of the total catch of all varieties, and as a consequence the traps were hardly worth bothering about; that they should be left there because they really did not amount to anything. What I am endeavouring to do now is to show that these traps catch all varieties of fish, which is rather a different matter. I was about to show that their catch of spring salmon, which is the highest priced salmon they caught, amounted to 16,313 in the year 1935, which would bring them perhaps \$2.00 a piece; and if the number had been spread amongst the Fraser river fishermen the increase in return to them would have amounted to \$110.00 for each of a total of some 300 men.

Mr. GREEN: What percentage of these springs would be caught by the Americans before they got over to the Fraser river area?

Mr. REID: It would be difficult to say.

The WITNESS: A great many of these are not bound for the Fraser river at all.

The CHAIRMAN: Would not that be a matter which should be taken up with the departmental officials.

*By Mr. Reid:*

Q. I would just like to ask Mr. Goodrich, if it would pay him, if he had to stick strictly to the sockeye salmon for his entire pack or catch.—A. I will answer that question I think very briefly; because in all the negotiations between Canada and the United States sockeye salmon being the most valuable salmon has been made the subject of a great deal of international record.



Q. You mean the most valuable for canning?—A. For canning purposes, of course; and there has been a great deal of correspondence and negotiations even in regard to sockeye salmon, and the international commission which has been suggested is known everywhere as the sockeye commission. The pink salmon ratio is almost precisely the same. As I said, the reason I did not compute it on springs and cohoes is because the records in regard to these fish are very incomplete and cannot be so easily compiled or compared. A great many of the springs and cohoes spawn in American waters too. They are not a Fraser river fish, that is the reason why we always stick to sockeye in making our return.

The CHAIRMAN: Are you finished with the examination of Mr. Goodrich?

Mr. HANSON: I move that the witness be allowed to go home. I think he has given all the information required that it is in his power to give and I do not think we should keep him any longer. If there is nothing further I think we should allow him to go home.

The CHAIRMAN: Mr. Goodrich, the committee are finished with their examination of you. Unless you desire to make any other statement you are free to go.

The WITNESS: I do not think of anything else. I wish to thank the committee for their unusual courtesy to me, particularly Mr. Neill.

The witness retired.

The CHAIRMAN: The question now is as to when we should meet again. Would Monday be convenient for members of the committee?

Mr. GREEN: Mr. Neill, have you in mind to call any more evidence?

Mr. NEILL: Yes, Senator Green wishes to give evidence, but of course he is available at any time.

The CHAIRMAN: I presume the committee is open to receive evidence from any witness who may desire to appear before him. Of course, we want to allow sufficient time for the evidence to be printed so that it will be available to us for our next meeting. We will adjourn until Monday next at 11 o'clock.

The committee adjourned at 1 o'clock to meet again on Monday, March 1st, 1937, at 11 o'clock a.m.









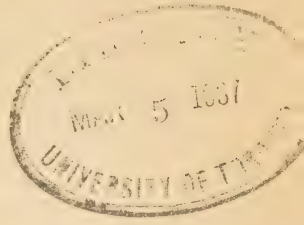


Copy. Doc  
221  
2011  
M

Canada: Marine and Fisheries, Standing  
Committee on, 1937

CA1 XC 17  
-M12

SESSION 1937  
HOUSE OF COMMONS



STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 7

MONDAY, MARCH 1, 1937

WITNESS:

Hon. R. F. Green, Senator, Kootenay, British Columbia.

OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1937





# MINUTES OF PROCEEDINGS

HOUSE OF COMMONS

COMMITTEE ROOM 429,

MONDAY, March 1, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock this day, Mr. MacLean (Prince), presided.

Members of the Committee present, Messieurs: Brooks, Cameron (*Cape Breton North-Victoria*), Green, Hanson, Kinley, MacLean (*Prince*), MacNeil, MacNicol, McDonald (*Souris*), Michaud, Neill, Pelletier, Reid, Stirling, Taylor (*Nanaimo*), Tolmie, Tomlinson, and Veniot.—18.

Present as a witness: Hon. R. F. Green, Senator, of Kootenay, British Columbia.

Also present:

Mr. Clare Moyer, K.C., Barrister of Ottawa, counsel for the Sooke Harbour Fishing and Packing Company, Sooke Harbour, B.C.

Dr. W. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

The Chairman read two telegrams received from fishermen's associations claiming right to be heard by the Committee, as representatives of trap interests had already appeared before the Committee: one dated Feb. 24, 1937, and signed by George Miller, representing six different unions and associations of B. C. The other from the Prince Rupert Fishermen's Co-operative Association, claiming right of B. C. fishermen to be heard, and signed by that body.

Mr. Neill submitted two telegrams and a letter, which were read by the Chairman, as follows: Telegram from B. C. Trollers' Association, signed by its president, Mr. W. Taylor, protesting against the use of traps in B. C. A telegram from A. Pederson who claims twenty years experience in seining in B. C. Waters, referring to tidal stream at Sooke as compared with Johnson Strait. Also a letter signed E. B. Chamberlain, North Vancouver, giving arguments against the use of traps as preventing the use of large numbers of trolling boats in area where traps are used.

Mr. Moyer submitted an extract from a press report, dated Olympia, Washington, March 1, respecting certain bills before the Washington State Legislature in connection with the return or partial return of fish traps in waters of Washington.

Hon. Mr. Michaud, Minister of Fisheries, read a telegram he had received from Sooke Canadian Legion, signed by its President, Mr. W. L. Beattie, with reference to large petition submitted to Committee not fairly representing public opinion; also referring to the question raised on Patrolman Wilson.

(The above list of telegrams and letters are contained in full in Minutes of Evidence of to-day's date.)

Several motions were submitted to the Committee, by Mr. Reid, Mr. Green, Mr. Taylor and others, with the object of confining the arguments for and against traps to the Sooke area alone, it being the unanimous view of the Committee that in all other parts of British Columbia fish trap licences should not be granted. After a great deal of discussion the following motion by Mr. Green, seconded by Mr. Reid was adopted:—

That this Committee go on record as opposed to any additional trap fishing licences in British Columbia, reserving the question of the advisability of renewing licences in the Sooke area for further consideration by this Committee at the present time.

Mr. Neill with the permission of the Committee made a correction in the evidence at page 194, Minutes of P and E No. 6, February 23.

Mr. Taylor also asked permission to make a correction at page 187, same number of Minutes of P. and E.

After considerable discussion, on motion of Mr. Neill, supplemented by some added suggestions from other members of the Committee, it was resolved:—

That the Committee would hear two witnesses from British Columbia representing *bona fide* fishery organizations with full knowledge of situation there. That they bring credentials from all organizations mentioned including B. C. Fishermen's Protective Association and Prince Rupert Cooperative Association. Railway transportation only to be paid. No expenses other than transportation paid by Committee. Other representatives will be heard if they wish to appear before the Committee at their own expense. The Chairman to send wire transmitting the above and request return wire stating date witnesses can appear before the Committee.

*Senator R. F. Green called and sworn.*

The witness made a statement to the Committee relative to the effect of trap fishing on other forms of fishing, particularly trolling, in the area of British Columbia where he is familiar with conditions, and was then questioned by several members of the Committee with respect to conditions stated.

Witness discharged.

Mr. Moyer filed statement of Sooke Harbour Fishing and Packing Company, Ltd., respecting taxation, etc., 1918 to 1935, and Statement of trap costs 1935 and 1936.

It being one o'clock the Committee adjourned to the call of the Chair.

E. L. MORRIS,  
*Clerk of the Committee.*



## MINUTES OF EVIDENCE

HOUSE OF COMMONS, ROOM 429,

MONDAY, March 1, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock, Mr. A. E. MacLean, the chairman, presided.

The CHAIRMAN: Gentlemen, we are ready to proceed. In the first place we have a number of telegrams from the coast which must be dealt with and put upon the record:—

VANCOUVER, B.C., February 24.

A. E. MACLEAN:

Since representatives B.C. trap interests appeared before your committee we claim right B.C. fishermen be heard stop Fishermen's organizations here have witnesses available who will carry endorsement of following associations with combined membership of 1,800.

GEORGE MILLER, Pacific Coast Fishermen's Union, Salmon Purse  
Seiners Union,  
UPPER FRASER FISHERMEN'S ASSOCIATION,  
NORTH ISLAND TROLLERS CO-OPERATIVE ASSOCIATION,  
KYOQUOT TROLLERS CO-OPERATIVE ASSOCIATION,  
B.C. TROLLERS ASSOCIATION.

PRINCE RUPERT, B.C., February 28, 1937.

A. E. MACLEAN:

Since representative B.C. trap interests appeared before your committee we claim right B.C. fishermen be heard.

PRINCE RUPERT FISHERMEN'S CO-OPERATIVE ASSOCIATION.

I understand Mr. Neill has had some telegrams.

Mr. NEILL: I have had two telegrams and a letter.

The CHAIRMAN: The telegrams received by Mr. Neill are as follows:—

VANCOUVER, B.C., February 24.

A. W. NEILL:

The undersigned with twenty years seining experience in B.C. waters can testify that the trap locations at Sooke have less tidal stream than Johnson strait where seining is successfully conducted stop Regarding phosphor in water this does not affect salmon seining as it is all daylight fishing.

A. PEDERSEN, 784 Thurlow St.

---

NANAIMO, B.C., February 27, 1937.

A. W. NEILL, M.P.:

We note in local papers Mr. Taylor, C.C.C. member for Nanaimo, is in favour of traps. We fishermen of Nanaimo and district and incidentally constituency of Mr. Taylor's, are utterly opposed to the use of traps and wish to have them abolished.

B.C. TROLLERS ASSOCIATION.

President, W. TAYLOR.

If there are other members of the committee who have telegrams or correspondence they can have it put on the record now. I have a letter which was received by Mr. Neill and which reads as follows:—

NORTH VANCOUVER HIGH SCHOOL,  
NORTH VANCOUVER, B.C.

DEAR MR. NEILL:

In reply to your recent letter re traps, would advance the following: by the way these are supplementary to the arguments sent you by other fishermen's unions recently.

No. 1. The main argument must be that the Americans are advocating the return of traps in certain strategic positions in Puget Sound.

No. 2. The American traps were largely abolished by a co-operation of tourists agencies owing to the depletion of sporting fish. This stands for us as the traps at Sooke catch large numbers of spring salmon and coho that could and would be caught by sporting means in Canadian Gulf Is.

No. 3. There are at the present thirty or forty trolling boats that work around Beechey Bay and Race Rocks. If the Sooke traps are abolished Sooke itself would be the base for another fifty boats as the fish that are now caught in traps would be caught to a great extent between Sooke and Active Pass.

I trust that these arguments will be of some use to you.

Sincerely yours,

(Sgd.) E. R. CHAMBERLAIN.

MR. NEILL: He is the ex-president of the B.C. Trollers Association. I might say that the two wires were not solicited by me.

MR. FOUND: With regard to that petition that was handed to me to submit, I did not think it over because I found it was just another portion of the petition already signed and which was signed by 134 names. That is the big petition that had already been submitted.

MR. NEILL: Was the wording the same?

MR. FOUND: Absolutely. There were 134 names.

MR. NEILL: I thought there were pages of names.

MR. FOUND: They were counted.

MR. NEILL: That statement goes on the record.

MR. FOUND: 134 names is the only important part of it; it was put in with so many others.

HON. MR. MICHAUD: I have received a telegram relating to this matter which, I think, I will bring to the attention of the committee. It is from Victoria, B.C., and reads as follows:—

VICTORIA, B.C., Feb. 26, 1937

J. E. MICHAUD

Word received of an implied monster petition against trap operations at Sooke we submit this does not fairly represent public opinion and was obtained over a long period from people who had no real understanding knowledge of conditions or any interest in the question to the district of Sooke it is a question of homes schools and association am writing re question raised on patrolman Wilson.

LAW BEATTIE, *President*  
*Sooke Canadian Legion.*

Mr. NEILL: Who is it signed by?

Hon. Mr. MICHAUD: The Sooke Canadian Legion.

Mr. REID: I was wondering this morning, in view of the fact that representations are being made by many of the fishermen's associations to appear before the committee to protest against traps, whether it might be a good thing for the committee, if we could go on record that we are opposed to traps generally, and we could then get down to discussing the Sooke trap which has been before the committee; otherwise, if we keep on, the impression is going to go abroad that we are going into the question of traps all over British Columbia. Personally, I think it would simplify the matter if the committee were to decide that we are opposed to traps generally and then the committee could deal with this one particular instance of the traps at Sooke.

Mr. MOYER: Before we go into this, I think the committee may be interested in a despatch handed to me a few minutes ago by the Canadian Press and which will appear in this afternoon's papers. It reads as follows:—

OLYMPIA, Wash., March 1—(CP)—The Washington State Legislature has before it to-day Senate bills which would permit or modify the use of fish traps in salmon fishing in the Pacific coast.

Lined against modification are sportsmen and seine fishermen. Favouring return of the fish traps in certain areas are the commercial fishing interests.

Voters in 1934 passed an initiative forbidding the use of fish traps in waters of Washington.

A senate bill introduced at the present session, providing for repeal of the initiative, drew bitter attacks from opponents of the fish traps.

The Senate fisheries committee reported out two bills Saturday. One provided full repeal, a second modified repeal, permitting fish traps in the Columbia river and in the Strait of Juan de Fuca.

Traps in the strait, which separates Washington and British Columbia would give Washington fishermen an opportunity catch Fraser river sockeye.

Mr. REID: That bears out what I say. The argument is centered around the traps in the Sooke area or Juan de Fuca. I move that we go on record as opposed to traps generally, and then deal in particular with the traps at Sooke.

Mr. TAYLOR: I am pleased to second the motion. It is in line with my other motion before the committee, but in view of the fact that the papers out in British Columbia say I am in favour of traps it is just as well that that be denied immediately. I am not in favour of traps, but I do consider that the Sooke position offers a unique situation which we should discuss by itself and on its own merits.

The CHAIRMAN: You have heard the motion.

Mr. NEILL: What is the motion?

Mr. REID: The motion is that this committee go on record as being opposed generally to traps in British Columbia and that the discussion should deal with the Sooke trap.

Mr. NEILL: That is contradictory.

Mr. TOMLINSON: Absolutely.

Mr. REID: If we are going to go into the question of traps in general it means the opening up of this enquiry, and if traps are going to be dealt with generally I for one would have to ask that the Fraser river fishermen be represented here in person by a delegate.



Mr. NEILL: We are within our right. The reference calls for it.

Mr. TAYLOR: I will re-read my former motion and if Mr. Reid is satisfied with it and it suits his position then we can place it before the committee. It was moved by myself and seconded by Mr. Hill:—

That in view of the evidence of exceptional conditions prevailing on the southwest coast of Vancouver island, between Sombrio Point and Beechy Head, the policy of confining in British Columbia the issue of trap net licences to this area, which has been observed by the department since 1904, be continued at the discretion of the minister, and that it be recommended to the minister that he carefully review the then existing circumstances when determining annually whether or not licences shall be issued in the aforesaid area.

I think that meets the situation specified by Mr. Reid, and it is in line with what I formerly advanced.

Mr. TOMLINSON: I look at the motion just presented as a motion which, if it were carried, would simply say that the committee is absolutely opposed to traps in British Columbia. That is the motion before the committee.

Mr. REID: That is right; we are opposed to traps in British Columbia.

Mr. TOMLINSON: Then, if you say that, does not that take in the Sooke area? Does not that simply say that traps are out in the Sooke area as well?

The CHAIRMAN: The only way we could deal with the Sooke traps would be by another sub-motion.

Mr. REID: I do think, in view of the fact that the fisheries committee and parliament has consistently opposed traps in general in British Columbia and has allowed this one trap in Sooke particularly to remain open, and as the most of our discussion has centered around the Sooke trap—I do think that, perhaps, this would clarify it; because if you mean to open the enquiry in regard to traps generally, we would be acting unfairly without having personal representatives of the fishermen in British Columbia, who are, as far as I know, absolutely opposed to traps, appear here.

Mr. NEILL: What is our reference? What are we dealing with?

The CHAIRMAN: Our reference is "That the question of the advisability of the government issuing trap fishing licences in British Columbia waters is referred to the standing committee on fisheries for study and report." That is pretty broad "in British Columbia waters."

Mr. REID: If we carry that out that is opening up the whole question.

Mr. GREEN: Mr. Reid's idea is all right in so far as it deals with the question of any additional trap licences. Surely we are all agreed on that. Now, we can decide on the other point about the Sooke trap.

Mr. REID: There is not one of us here who is vitally interested in this question but has been besieged by the various associations of fishermen against traps and asking that they be given a chance to appear.

Mr. NEILL: Why should they not?

Mr. REID: If we are dealing with the question that they should be, that is all right. If it is the wish of the committee that the whole question be opened up, in that event it would only be fair, and to have the fishermen here I would support that move.

Mr. MOYER: They have had a chance to appear since the 11th of February. The representative of the traps came at his own expense and appeared as long as the committee wanted him. The same right was offered to others.

Mr. REID: That is hardly a fair statement, because we were dealing particularly with the Sooke trap.

Hon. Mr. MICHAUD: Oh, no.

Hon. Mr. STIRLING: At the very first meeting it was evident that the inquiry had been widened.

Hon. Mr. MICHAUD: The resolution before the house was not for an inquiry into the Sooke traps; it was traps generally; it was in the same terms as that reference.

Mr. TOMLINSON: I still contend, as I did the other day, that it is unfair to hear one side and not the other side.

Mr. MOYER: The other side has had the opportunity to be heard.

Mr. TOMLINSON: I realize that. I can quite realize that a great many of these fishermen could not afford to come down here on their own personal expense. I have them in my riding.

Mr. TAYLOR: There are 1,800 of them, and a contribution of 5 cents per head would send them here.

Mr. HANSON: They have no monopoly. They earn their living from time to time.

Mr. TOMLINSON: I think it is unfair for one side to be heard—to insist that the evidence of only one side should be heard.

Mr. PELLETIER: Is not this committee responsible for the travelling expenses of witnesses?

Hon. Mr. MICHAUD: No. Unless the committee makes itself responsible.

Mr. MACNICOL: If there is any proposal for bringing witnesses here at large expense I for one will oppose it. I am not opposed to witnesses coming down, but the cost to the government of this country is out of all relationship with the possibilities of ten million people to maintain it. I have noticed that enquiries—this committee has not started yet—have a disposition to bring witnesses from Dan to Bersheba, and a very few of them have known very much about the matter. From now on I am going to oppose persistently and consistently bringing witnesses here unless they are people who are experts in their particular line and will be able to give the committee specific evidence. We had experience last year in several committees on which I served of having witnesses brought from Vancouver and Halifax and western Ontario, and none of them gave us information that was worth while listening to.

Mr. TOMLINSON: I agree with Mr. MacNicol, but why have this matter referred to a committee at all and expect us to sit here and decide whether we are going to take these traps out altogether after hearing one side of the story. I do not think it is reasonable to ask anyone to make a decision on that basis.

Mr. REID: That was my reason for asking the committee to come to some decision this morning.

Hon. Mr. TOLMIE: Would not the Taylor motion cover the ground?

Mr. REID: I have not given it any thought.

Hon. Mr. MICHAUD: So that there shall be no misunderstanding, the resolution before the house moved by Mr. Neill was couched in these words: "That in the opinion of this house the best interests of British Columbia would be served by the government ceasing to issue trap fishing licences in British Columbia waters." That was the basis of the discussion before the house, and after discussing it there it was suggested that the matter be referred to the fisheries committee and the matter was referred to the fisheries committee in these terms: "Ordered that the question of the advisability of the government issuing trap fishing licences in British Columbia waters is referred to the standing committee on fisheries for study and report."

Now, that is the situation. It appears now that someone wants to suggest that we would clear the situation by saying that this committee go on record

as being opposed generally to the issue of trap fishing licences in British Columbia but make an exception or a restriction with respect to the traps in the Sooke area, in the terms of the resolution of Mr. Taylor, seconded by Mr. Hill, now before the committee.

Mr. REID: The difference between Mr. Taylor's motion and mine is that he asked that an exception be made in the Sooke area and I left the whole matter open for decision.

Hon. Mr. MICHAUD: This resolution now before the committee which was moved before yours, Mr. Reid, is couched in these words:—

That in view of the evidence of exceptional conditions prevailing on the southwest coast of Vancouver Island between Sombrio Point and Beechy Head, the policy of confining in British Columbia the issue of trap net licences to this area which has been observed by the department with certain annual exceptions since 1904, be continued at the discretion of the minister and that it be recommended to the minister that he carefully review the then existing circumstances when determining annually whether or not licences shall be issued in the aforesaid area.

This resolution contains the following insert, which does not appear in the resolution on page 72 of the minutes of evidence, "with certain annual exceptions." If this resolution was still further amended by adding at the end of it these words, "but that the committee go on record as being opposed to the extension of trap fishing in any other portion of the British Columbia coast," it would restrict it to that area. And it would restrict certainly the scope of the enquiry of this committee if this resolution or any such resolution was approved by the committee; because it seems to be the unanimous opinion of the committee that trap fishing should be prohibited in the waters of British Columbia except in the Sooke district. That seems to be the unanimous opinion of the committee.

Mr. GREEN: Mr. Chairman, would this cover it? If we put through a resolution to the effect that this committee go on record as opposed to any additional trap licences in British Columbia, reserving the question of advisability of renewing licences in the Sooke area for further consideration by the committee at the present time. If Mr. Reid would move that I would be glad to second it. That would get the larger section out of the road.

The CHAIRMAN: Reserving to whom?

Mr. GREEN: Reserving in the meantime to the committee the question of the advisability of renewing licences in the Sooke area.

Mr. REID: Mr. Chairman, unless we do something like that I would move to withdraw my resolution and support Mr. Tomlinson.

Hon. Mr. MICHAUD: If you will permit me, when Mr. Green got up to move his resolution I was stating that it was my impression that it is the unanimous opinion of the committee that trap fishing in British Columbia be prohibited. That is the general opinion. There might be a division of opinion as to whether it should be prohibited in the Sooke area—

Mr. REID: If the committee is agreed on that I think that the resolution of Mr. Green—

Hon. Mr. MICHAUD: The wording of the resolution as moved by Mr. Green is pretty clear. It restricts for the time being the scope of the enquiry of this committee. If the committee is unanimously in favour of restricting traps generally it is of no use to spend more time and more money in going on with this enquiry, and especially bringing witnesses from the coast to testify as to things over which there is no dispute and which are admitted by all.



Mr. REID: Otherwise, if it was a wide enquiry I would have to support Mr. Tomlinson and have the fishermen brought here. It was with that view in mind that I made the suggestion this morning.

Hon. Mr. MICHAUD: There seems to be no necessity of going into that.

Mr. TOMLINSON: I do not yet understand Mr. Reid. Do the Sooke area traps cause injury to the fishermen up the coast? That seems to be the question. I do not know whether the Sooke area injures these fishermen or not; I have no idea.

Mr. CAMERON: I should like to get my own mind clear in regard to one thing. Some of the discussion here centres around the possible attitude of the United States. Now, assume that what is likely to happen there from the press dispatch of the bills as reported on by the committee does take place, and the bills become law. Why should the Canadians be prohibited from using more traps than are used at Sooke? Why should we go on record in regard to a matter like that until we know where we are?

Mr. REID: There is this aspect of the situation: one side of the matter only has been discussed before the committee, and that was the side advocating trap licences. To get a proper viewpoint you would have to go into the matter very fully. I do not think there is a member here from British Columbia who would suggest for a moment that traps generally should be used in British Columbia or any other licences be given.

Mr. CAMERON: Even if the Americans put in traps?

Mr. REID: Even if the Americans put in traps.

Hon. Mr. MICHAUD: That attitude would be acceptable to the government of the day, and I may state that it has been the attitude of past governments. The statement I made to Mr. Reid is correct. There is unanimity in the view that for the present at least there shall be no extension of traps in the waters of British Columbia.

Mr. REID: In answer to Mr. Cameron may I make clear the view held in British Columbia. The view is that the traps are very destructive, and that further destruction would be added to if traps were put on the American side.

Mr. KINLEY: Mr. Chairman, there have been no traps in British Columbia for some years except the Sooke traps. The policy that there should be no traps initiated has been adopted in practice and clearly the whole object of this committee is to deal with the Sooke situation. What advantage would there be in a resolution suggesting that we are all against the extension of traps? If we are not in favour of this privilege it merely clouds the situation.

Mr. TAYLOR: That is the reference.

Mr. KINLEY: The reference deals with a situation in regard to a particular section of British Columbia. At the same time we all know there is only one condition that affects it, and that is these traps, and that is what we are considering in this committee. It seems to me a resolution of that kind weakens the situation considerably.

Mr. GREEN: No; because someone may come along and say we want to extend this privilege and get more traps. I think we should make ourselves absolutely clear that we are against it.

Mr. KINLEY: I cannot be in favour of granting a privilege to one group. I want to say I am not unanimous on that.

Hon. Mr. MICHAUD: That would be dealing with a particular question. If you were familiar with the situation you would realize there is a mighty reaction to that attitude. There are many classes who have privileges. There is a class of fishermen who have privileges in British Columbia. If the law were made wide open to all concerned it would cause greater conflict than you have now.

Mr. REID: I think the situation can be stated clearly. The people of British Columbia—

Hon. Mr. MICHAUD: From the knowledge I have gained through administering the fishery laws in British Columbia I believe that all governments in the past, up to 1904, were wise in adopting the attitude they have maintained, and any attempt on the part of this committee to try to bind the rules regarding administration is bound to lead the government and the country into trouble. As minister of the crown I make that statement.

Mr. TOMLINSON: That is the point I am getting at. There are certain other matters that may be affected.

Hon. Mr. MICHAUD: Trouble is bound to occur if you do not give leeway to the department to administer the regulations.

Mr. NEILL: And decide on traps?

Hon. Mr. MICHAUD: Yes.

Mr. NEILL: That would be concerned with other matters, and would have no bearing on the trap situation.

Hon. Mr. MICHAUD: The traps have some bearing on other matters.

Mr. GREEN: Do I understand that the minister takes the view that the department should have discretion?

Hon. Mr. MICHAUD: Yes.

Mr. GREEN: If an emergency arose to establish traps at areas other than the Sooke area.

Hon. Mr. MICHAUD: I think that the department should have that discretion. Unless the statute was amended the resolution of the committee or of the house would simply be an expression of opinion for the time being. Should an emergency occur no doubt you will admit that it should be within the discretionary power of the government of the day to exercise that discretion in order to meet the conditions and the public need.

Mr. MACNEIL: That is the point we are concerned with, and while we are confused as to the order of reference, let us anticipate the committee authorized the re-issuance of licences in the Sooke area and the United States established traps in the upper waters of Puget Sound. If that were done naturally there would be an agitation on the part of the canning interests to have traps established in coast waters. If that is done it is clear to many of us that it would jeopardise the livelihood of many thousands of gill netters on the Fraser waters.

Hon. Mr. MICHAUD: Exactly. I would not call that an emergency, Mr. MacNeil, because the eventuality which you have mentioned has been a situation there since 1904.

Mr. MACNEIL: It is clear the establishing of traps in British Columbia waters would bring about a condition where the percentage of salmon caught by the Canadians would be very much lower than by the Americans.

Hon. Mr. MICHAUD: There are other methods of approach in regard to the situation. I would not say that the fact of having traps in these waters would be the only factor which would enable us to claim our proportion of the catch.

Mr. MACNEIL: I have almost no other alternative than to support Mr. Reid's position, because the livelihood of thousands of fishermen would be endangered, as has been implied here. If their livelihood is endangered then they should undoubtedly be heard. We cannot deal with the matter judicially unless we hear both sides.

Hon. Mr. MICHAUD: I think if it came to a question of the livelihood of thousands of people in British Columbia being endangered or jeopardised by the presence of these traps no government would hesitate a moment to remove

them. It does not need a resolution of a committee to impress that viewpoint on the government or any government that happens to be at the head of affairs of the country.

Hon. Mr. TOLMIE: Have you not contended all along that the fisheries department has a policy of restricting the hours so as to control the catch of fish? That is a matter of practice.

Hon. Mr. MICHAUD: It has been the policy of the department of fisheries for many years back, from what I have been able to find out, and that is evidenced by rules and regulations, to try to maintain a certain relation between the different interests who naturally are competing.

Mr. TOMLINSON: I want to make myself plain on this point. The question I am asking myself right now is what effect are these traps at Sooke having on the fishermen farther up towards the Fraser river. That is the question as I see it, because at the present time there are no traps in the American waters. What effect are these present traps as situate having on the fishermen farther towards the Fraser river and, of course, the Fraser river? That is what is bothering me. We have had one side of the story from the interests at the Sooke, but we have no further evidence before this committee as to the effects farther on.

Mr. MOYER: You have the evidence of the deputy minister.

Mr. TOMLINSON: He was not sworn. I am just talking about sworn evidence.

Mr. MACNICOL: I doubt very much if the fishermen of British Columbia could send anyone down who could give any more information than has been given by Mr. Neill and Mr. Reid. These two gentlemen are thoroughly qualified. Everything they have said has sounded like evidence of men who are conversant with the subject they are talking about. I doubt very much if any fisherman could add anything to what Mr. Neill and Mr. Reid have said.

Mr. NEILL: I am quite certain they could give better information.

Mr. MACNICOL: If they could, and there are 1,800 of them, they would only need to put their hands in their pockets for a few cents apiece and send someone down. As I said a few moments ago, I am rapidly coming to the frame of mind that people who represent certain groups should pay their own way. Mr. Tomlinson said a moment ago he had not heard any evidence before this committee elaborating the beneficial effect that would accrue to the Fraser river fishermen if the Sooke traps, which take two per cent of the catch, were eliminated.

Mr. MACNEIL: That is sockeye only.

Mr. MACNICOL: Sockeye.

Mr. NEILL: And 5 per cent not 2 per cent.

Mr. MACNICOL: If the Sooke traps catch only two per cent a very small portion of that two per cent would reach the Fraser river if the traps were removed; most of them would be caught by the Americans.

Hon. Mr. MICHAUD: You are now getting into controversial matters of opinion.

The CHAIRMAN: Gentlemen, Mr. Green made a motion—there are two or three proposed motions before the committee.

Mr. MACNEIL: Do I understand that the motion is acceptable to Mr. Reid?

The CHAIRMAN: I shall read this motion again. Mr. Green's proposed motion is in the following terms: "That this committee go on record as opposed to any additional trap fishing licences in British Columbia, reserving the question of the advisability of renewing licences in the Sooke area for further consideration by this committee at the present time." Now, that would eliminate all the other waters and confine us to this one question of whether the traps at Sooke should be continued or withdrawn.



Mr. REID: Mr. Chairman, I think the matter can be clearly put to the committee in this way: nearly every government has opposed the granting of trap licences generally. The people oppose and the majority of the fishermen are opposed to the issuing of trap licences, consequently no licences for traps have been issued other than at Sooke. Now, the resolution introduced by Mr. Neill, I think it would be fair to state, was a resolution designed to do away with the last of the traps which have been confined to the Sooke area.

Mr. NEILL: It was designed to do away with them altogether anywhere in British Columbia.

Mr. REID: It was with that thought in view that I proposed to the committee that we clarify the situation, because if it were a question generally speaking of traps I would have to stand up and strongly advocate that fishermen be brought here to be heard. I said that because I thought if the committee would agree no further licences should be granted it would simplify the matter considerably.

Mr. KINLEY: Mr. Chairman, I do not like this motion. It confounds and confuses the situation. It puts me in the position of having to vote that no other fishermen in British Columbia should have a trap. I do not want to do that without information before me. I do not want to put myself into a position where I might be palliating a situation so far as this company is concerned. I will admit that my information is not very good. I have no personal knowledge of affairs in British Columbia, but it seems to me the members from British Columbia have. I should like to hear what Mr. Neill has to say about this.

Mr. NEILL: Would you mind reading that motion again?

The CHAIRMAN: Mr. Green's motion reads as follows: (reads motion.)

Mr. NEILL: I think that would be fair enough.

Mr. REID: I will second the motion.

Mr. KINLEY: The idea, Mr. Chairman, is that the committee are agreed that the principle of trap fishing is bad.

Mr. REID: Yes, absolutely.

Mr. KINLEY: This question is now coming up for consideration.

Mr. REID: Yes. I think it will clarify it. Naturally I am concerned with the Sooke trap; and the Fraser river fishermen are opposed to it. I think this resolution clarifies the situation.

Mr. NEILL: I think the resolution is wholly unnecessary, but I am not objecting to it. As some people want it I have no objection. This resolution cuts out the question of traps outside of Sooke. We are now going on to deal with Sooke. It seems to me to be a case of putting the cart before the horse; but I have no objection to the resolution as read out.

The CHAIRMAN: There is another aspect of this situation that may be beneficial in view of the press report read by Mr. Moyer. If something went out from this committee to the effect that we had disapproved of the general use of traps in British Columbia waters and are now dealing with the question of Sooke it would do no harm. It may not have any influence in the United States, but then again it may have.

Mr. REID: I think it would strengthen the position of both the minister and the department of fisheries if this committee went on record right away to the effect that no further trap licences would be given or were even contemplated. I think that would strengthen their position in the country and particularly in British Columbia.

Hon. Mr. TOLMIE: I do not believe that we should be guided by what the state of Washington is going to do. This is Canada, and we are trying to run Canada. That is what we are here for. I do not believe that we should depend on them, or pass any legislation which depends on what they do. We are able to run our own country.

Mr. HANSON: Mr. Chairman, in connection with that I think we co-operate with the American authorities in regard to other fisheries. We have a halibut treaty; we have a halibut fisheries commission, and I do not see why we should not co-operate in regard to this question.

Mr. MOYER: Is it not a fact that treaties referred to deal with the quantity taken, not the method?

Mr. CAMERON: Does Mr. Tolmie say that these press dispatches should not go in the record?

Hon. Mr. TOLMIE: If it comes to a matter of a treaty I am ready and willing at any time to co-operate with the United States in making a treaty suitable for both countries; but that is quite another thing.

Mr. TAYLOR: I support Dr. Tolmie's view for the very simple reason that the United States situation is purely their own. The question of putting in traps or taking out traps there is not based on the action of British Columbia. It must not be forgotten that they have a dozen rivers in Puget Sound, in American waters, each of which is fished; and as that press notice states, the initiative developed there through the sport fishermen on these rivers.

Mr. NEILL: And seiners.

Mr. TAYLOR: And seiners, exactly. It is their situation, and they are looking after it from their own viewpoint. They are not considering British Columbia.

The CHAIRMAN: There is another side to this question, Mr. Taylor, and that is this: both the United States government and the Canadian government are supposed to carry out the wishes of the people who elected them. These gentlemen here are making representations on behalf of the people who elected them, as you are doing. The people of the state of Washington voted against the use of traps. If we in this committee say that we are opposed to the use of traps it may not have any effect on the house in session in the state of Washington, but it may have an effect on the people of the country who may be called upon to vote on this question again. The point I am trying to make is this: if the Americans put in hundreds of traps in these waters would it not have an effect on the Canadians? Would it not justify the use of larger number of traps over here?

Mr. TAYLOR: A larger number of traps?

The CHAIRMAN: Yes.

Mr. REID: That is a question that will develop later.

Mr. TAYLOR: We have had that question for the last thirty years. Why have we not tackled it before?

Mr. NEILL: Because the Americans never took their traps out before. This is our chance.

The CHAIRMAN: Shall we put this motion, Mr. Taylor?

Mr. TAYLOR: I am supporting Mr. Green's motion.

Motion agreed to.

The CHAIRMAN: Now, I understand that Senator Green would like to make some remarks.

Mr. NEILL: Before you ask the Senator to come forward may I make a correction in the printed evidence at page 194, in the last paragraph on the page, the second sentence. The sentence reads as follows: "Has it not resulted

in a large reduction in the total catch of salmon which is good for consumption?" The word "consumption" should be conservation." I would ask that that correction be made; otherwise the report is very accurate.

Mr. TAYLOR: I should like to make a correction also. On page 187, ten lines from the bottom of the page, I am reported to have said:—

It had to be seen and labelled for export before it could be put on the market as excellent salmon.

That was not stated by me. What I said was:—

It had to be sent to Liverpool and experted before it could be put on the market as excellent salmon.

In the line before that I am reported to have said:—

I know of one case in which there were 6,000 cases of salmon sent to Manchester in 1923 which was reported on as bad over there, and yet on this side was classed as excellent salmon.

Instead of "as bad over there" it should read "as not bad." Then follows the other sentence, which completely explains what I wanted to bring up, the point that Liverpool has experts who handle salmon, take the tins and place them in relative prices and sell them as excellent salmon, or good salmon, or No. 1 grade salmon and so on. They do that by shaking the tin against their ears in some expert manner. It was this that I drew particular attention to.

Mr. NEILL: Is there a grade in Liverpool known as "not bad?"

Mr. TAYLOR: Oh, well don't be facetious.

The CHAIRMAN: Are we going to deal with the question of whether other witnesses will be called now or not?

Mr. NEILL: You may as well deal with it now.

The CHAIRMAN: Does anyone wish to make a motion that witnesses be called?

Mr. NEILL: Yes; I will move that these men be given an opportunity to be heard. I refer to representatives of the fishing bodies in British Columbia who claim they have a membership of 1,800. They are certainly entitled to be heard. The press is taking the matter up. The Vancouver Province refers to it in an editorial. Then a body of fishermen claiming to have a membership of 1,800 asked to be heard. I do not see how we can possibly refuse them without putting ourselves into the position of hearing one side and refusing to hear the other side, which would be almost unthinkable.

Hon. Mr. MICHAUD: We are not refusing to hear the other side; we have the evidence of the other side in petitions. Their views are before the committee. All they can do is to expand or emphasize those petitions, but it seems to me that they cannot bring new facts, because there are all kinds of chances for these respective associations to place the evidence before the committee by way of petitions signed and put on the record here.

Mr. REID: There is no class of fisherman more vitally interested in the Sooke trap than the fisherman of the Fraser river, and they would have to be heard too.

Hon. Mr. MICHAUD: The committee has not yet asked that the evidence of any class of fisherman against any other class should be heard.

Mr. TOMLINSON: Oh, yes. I asked that for my own information. As far as the petition is concerned, I give petitions very little weight.

Mr. NEILL: You asked that a week ago.

Mr. TOMLINSON: I do not give much weight to petitions.



Hon. Mr. MICHAUD: Now, if you decide to hear evidence of all those who claim to be interested at public expense, what restrictions will you place, or will you place any restrictions?

Mr. TOMLINSON: Oh, yes; one representative would be sufficient.

Hon. Mr. MICHAUD: Whom would he represent ?

Mr. TOMLINSON: We would have to notify the fishermen to send one representative only.

Hon. Mr. MICHAUD: Who will do the selecting?

Mr. CAMERON: They will do it themselves.

Hon. Mr. MICHAUD: Themselves?

Mr. CAMERON: The associations, whoever they are.

Mr. TOMLINSON: If they do not they will have to take their medicine. It is up to them.

Hon. Mr. MICHAUD: That is the difficulty. It is all very well for us to say that an association should do this. If it were an association of people living in a city, like a chamber of commerce, it would be more simple, but these people are disseminated all over the coast, and they would have to take a poll to decide who is to be their delegate. That would be the difficulty. We have no evidence that the one sent here will represent the majority.

Mr. PELLETIER: Is there no central organization?

Mr. REID: There are two in the Fraser river district and they could easily choose a delegate.

Hon. Mr. MICHAUD: No. I do not think they can.

Mr. TOMLINSON: We have heard the Sooke area.

Mr. MACNICOL: If we are going to have fishermen appear, we would have to have them from both sides.

Mr. MOYER: The committee has been in session since the 11th of February, and the suggestion that other interests than the Sooke interests should be heard has only been made in the last few days. There was nothing to prevent these other interests being here; no obstacle has been put in their way to come here and be heard had they wanted to come here at any of the eight previous meetings of the committee. I think it is unfair to let it appear that there is some movement to keep them from being here.

Mr. MACNICOL: I was anticipating the difficulties mentioned by the minister in choosing delegates.

Hon. Mr. MICHAUD: Would you think it advisable to have before us some evidence from the associations who are vitally interested from Sooke? You have not heard them yet.

Mr. TOMLINSON: We heard the best evidence we could, and that is the trap interests.

Hon. Mr. MICHAUD: From what standpoint? Not from the standpoint we are here for. We are here to look at this matter from the standpoint of the fisheries. You were studying the questions from the standpoint of an interested party, the producer, but that is not the object of this enquiry. The enquiry is to look into the question from the standpoint of the fisheries. I am not interested in any manufacturing or interested party when looking at this question from the fishermen's point of view.

Mr. TOMLINSON: I understand that no other fishing is done around the Sooke area. The evidence presented here by Mr. Goodrich—this is my understanding at the present time—certainly is evidence presented from their side of the case, and naturally it should be presented.

Mr. REID: I do not know any other side that could be presented from the trap side than has been already done.

Hon. Mr. MICHAUD: That is not from the fishermen's point of view. There are the fishermen from the traps and the people of the community who would be affected. If you hear these fishermen you will have also to hear the evidence of all those vitally interested.

Mr. TOMLINSON: The impression left on my mind was the effect this will have on the Sooke area.

Hon. Mr. MICHAUD: Among the other difficulties is that of the different associations of fishermen.

Mr. MACNEIL: We have had a definite request from some of these organizations which this committee cannot possibly refuse if they choose to pay their own expenses. The question is simply one of whether or not they come at their own expense. May I ask what reply has been sent?

The CHAIRMAN: No reply has yet been sent.

Mr. TOMLINSON: We should decide what reply should be sent.

Mr. MACNICOL: I have no objection to anyone coming at his own expense.

Mr. REID: I move that they be heard.

Mr. TOMLINSON: I think it is ridiculous to ask anybody to decide this question—

The CHAIRMAN: Will you enlarge that motion to show whether they are to come at their own expense or at the expense of the government?

Hon. Mr. MICHAUD: If you decide that the witnesses who will come here are going to appear at the public expense you will have to extend the privilege to all those who are interested in the fisheries of British Columbia.

Hon. Mr. STIRLING: It surely is not necessary for this committee to pass a resolution in favour of hearing representatives of the fishermen if they choose to come. It has been possible for them to do so for weeks, but they have not come. It seems to me that you can get some sort of parallel for this situation in the inquiries which have been held in the last year in connection with the fruit interests. There you have the growers of fruit in various parts of Canada producing evidence before committees and before the government. They have their associations and they put up a certain number of cents per capita to send a witness here to present their evidence. I think that is the situation we are confronted with now. We have heard of certain associations—and there are many associations of fishermen in British Columbia—certain associations who have signed petitions. It will be a very small contribution per capita that would be necessary to finance the passage of one of these fishermen who could be chosen to represent an association here. I do not think it is right for us to start in paying the expenses of witnesses across Canada.

Hon. Mr. MICHAUD: The situation seems to be this, that we are studying a question of policy; what should be the policy of the country. Now, we have not yet decided to call any evidence from that district. We have accepted the evidence that has been offered voluntarily by those who presented themselves, but I submit that from the point of view of the committee being fully informed on this matter that we have in the department all the evidence that the committee would need to come to a decision. All we can get from the people that we might call from British Columbia, as suggested by that telegram this morning, is a matter of opinion, opinion evidence. As to what would be the effect on their business or their calling I cannot say, but from the point of view of statistics, from the scientific point of view, we have the evidence in the department that can be got.

Mr. NEILL: It is not a question of getting an individual opinion, it is getting their evidence. These people will be sworn to certain facts. One man may be prepared to swear in a certain way in regard to these waters or some other waters, and so on. That is not a question of opinion; that is a question of fact.

Mr. MOYER: I hope Mr. Hanson will not mind if I quote—

Hon. Mr. MICHAUD: In reply to Mr. Neill, let that person come here and say that. We do not have to pass a resolution to have him come here.

Mr. NEILL: These people have wired desiring to know if they can come here. It would not be right to have them come half way across the continent and then be told that the committee has closed its hearings.

Mr. MOYER: At page 37 of the printed evidence taken before the committee, Mr. Hanson is quoted as follows:—

I am not saying that I am against these traps in the Sooke area, because it does not interfere with us up north, but in fairness to fishing as a whole in British Columbia I think some adjustment of the matter should be made. I have dozens of letters from fishermen's organizations in my district, and also from the district adjacent, which show that they are absolutely opposed to the issuing of licences for traps at any place in British Columbia.

Mr. Hanson says it does not affect them, and yet he has all these representations.

Mr. REID: Is it your argument that representations might be made by those who are indirectly interested or affected? I can assure you that my own district is vitally affected, because they do claim that the effect of the traps at Sooke is serious.

Mr. MOYER: I admit that your district is differently placed.

Mr. TOMLINSON: If that is the case, Mr. Hanson's statement would not have a great deal of effect.

Mr. NEILL: I moved with reference to the telegram dated February 25 addressed to the chairman and signed by six associations, that they be advised that we are prepared to hear them. Our wire would need to advise them that they would have to notify us of the number of delegates they were sending and when they would arrive.

The CHAIRMAN: An that they would be coming at their own expense. The minister seems to think it is wise not to enter into the question of paying witnesses.

Mr. TOMLINSON: You might add that they act immediately; that a time should be set.

Mr. NEILL: They should state how soon they will come.

Mr. TOMLINSON: I think they should wire immediately when they were coming.

Mr. MacNICOL: And state on the wire "at their own expense."

Mr. NEILL: Oh, yes. Send the wire collect. We are a cheap bunch in Canada.

Mr. MacNICOL: I did not say that. I have been on many committees and many witnesses have not been worth paying two cents for. Outside of that, any body of men whether fishermen, manufacturers or others, who want to send delegates or representatives to a committee that I have been on, have not met with any objection so far as I am concerned. I want to state now that I am willing to hear any witnesses, but they should come at their own expense.

The CHAIRMAN: Mr. MacNicol, we have heard of other committees paying the witnesses when they are called to give evidence before the committee.

Hon. Mr. MICHAUD: When they are called; but we are not calling any witnesses. I understand we are passing a resolution now accepting the offer they have made to come and testify.



The CHAIRMAN: Well, I do not know whether I agree with you there, Mr. Minister, or not. This committee may want to hear that evidence.

Hon. Mr. MICHAUD: The resolution before the committee is not to that effect. Why run away from that resolution? Let us stick to the resolution before the committee.

Mr. NEILL: It is moved that these people be heard; that they be notified that we will hear them.

Mr. TAYLOR: Does your resolution imply that the committee will pay them?

Mr. NEILL: It does not say.

Mr. TAYLOR: I want to know that. That is something these people should understand.

The CHAIRMAN: You have heard Mr. Neill's motion, and that we reply to these telegrams saying that these people will be given an opportunity to be heard. Now, in my mind this motion is not clear. We should state whether we are going to pay them or not, because it puts me in a very difficult position, as chairman of this committee, to reply to that wire.

Mr. MOYER: And you should say how soon they must come.

The CHAIRMAN: Surely.

Mr. TOMLINSON: I think we should make it very clear whether we have decided to pay them or not. That should be stated clearly in the telegram so that they will understand.

Mr. REID: I think they should be heard at the same time. It may be interpreted later that these were the only ones requested and the only ones who should be heard.

Mr. TOMLINSON: If we are not going to pay their expenses you can leave it wide open.

Mr. REID: The Fraser River Association might want to send down delegates.

The CHAIRMAN: If we pay those delegates we must pay the delegate who has been here.

Mr. TOMLINSON: If we are going to pay the expense, I would restrict the number to one.

Hon. Mr. MICHAUD: You cannot do that.

Mr. MACNICOL: All over the country to-day county councils and city councils are protesting against the cost of committees here in Ottawa, and in view of that I must express my opinion against the continuance of paying unlimited expenses as in the past. I am in favour of hearing all who want to come, but they should be willing to send someone at their own expense.

Mr. REID: The position is a little different. We have been hearing a witness who is financially vitally interested, who maintained before the committee that if this Sooke trap was done away with he would lose money and profits, and the profits made were given to the committee. He was well paid to come; but when we take the livelihood of the fishermen into consideration we have to realize just how little they are earning. There is no individual fisherman and very few associations able to send a delegate across the country from British Columbia. That should not be lost sight of. I know this much from past experience in these committees that at times when I myself have been giving evidence, either on behalf of the fishermen or the sailors, that evidence has been disputed because it being said I was a Member of Parliament and was not actually engaged in the industry. That point has been raised by Mr. MacNicol's confreres in past committees.

Mr. MACNICOL: By my confreres? They were not any confreres of mine. I stated myself—

Mr. REID: I am saying that other members of the committee raised the objection and stated to the committee and to the chairman that my evidence was not direct evidence; it was merely a statement on my part; and in view of the fact that the fishermen are not in a position to send witnesses I think we should deal kindly with the matter of whether they should be called upon to pay their expenses.

Mr. CAMERON: Mr. Chairman, I am impressed with all the lions that appear in the path when you want to find them. Now, if it is correct that we have been in the habit of paying witnesses in other cases, we should consider carefully in this matter. We are dealing with a public matter, where a private company has enjoyed the privilege of a splendid franchise for twelve years, and on the profits of that franchise they could very easily attend here without the slightest inconvenience to themselves. We were told over and over again that this is a private company and you must not ask how much salary the president is getting nor how much salary the manager is getting. However, it is a private company which makes a huge profit of a public resource. Now, Mr. Chairman—

Mr. MOYER: I contend that the huge profit was not established.

Mr. TOMLINSON: Because of your own fault. He was asked.

Mr. CAMERON: I would regard it as a splendid profit.

Mr. MOYER: In three years the government got just as much as the company.

Mr. CAMERON: If they prefer to work for the government, very good. They accepted the opportunity to continue paying to the government. That impressed itself upon me anyway. Now, Mr. Chairman, I am not going to take back water or second place to such a champion of the public interest as Mr. MacNicol in my desire to save money, but I will not be on a committee at any time and willingly serve on that committee when we refuse to hear representatives of fishing organizations who, I know, are poor and say that we will not hear them because they cannot raise sufficient money to pay their way here. I say that particularly when we have been paying out witness fees, I think, without exception, on other committees. I am willing to vote on a substantive motion or amend this motion to say that a limited number of representatives should be paid the usual witness fee.

Hon. Mr. STIRLING: Mr. Chairman, I cannot let Mr. Cameron's remark pass that witnesses have always been paid.

Mr. CAMERON: I accepted the remarks of the chairman; it is not mine.

Hon. Mr. STIRLING: I have a different opinion, because they certainly have not always been paid. I do not remember in twelve years any instance where the people that I represent—the fruit interests—have been paid for coming three thousand miles or twenty-five hundred miles to Ottawa to give evidence; and further than that, on various committees on which I have served the question of bringing witnesses across Canada to give evidence has frequently been discussed on the question of expense: was it warranted or not? Several members have made the suggestion that we have no right to refuse to hear evidence. I am not aware that anybody has expressed such an opinion. I am perfectly ready to hear evidence, but I should like to ask in what form the request to give evidence reached you, Mr. Chairman?

The CHAIRMAN: I read the telegrams here this morning.

Hon. Mr. STIRLING: Would you mind reading the request.

The CHAIRMAN: Here is one dated February 24th from Vancouver, B.C.:—

Since representatives B.C. trap interests appeared before your committee we claim right B.C. fishermen be heard stop Fishermen's organizations here have witnesses available who will carry endorsement of following associations with combined membership of 1,800

George Miller, Pacific Coast Fishermen's Union,  
Salmon Purse Seiners Union,  
Upper Fraser Fishermen's Association,  
North Island Trollers Co-Operative Association,  
Kyuquot Trollers Co-Operative Association,  
B.C. Trollers Association.

Hon. Mr. STIRLING: I would suggest that the simple answer to that telegram is: the committee will hear you on such and such a day; come and give your evidence. I am very much afraid that if you attempt to get a representative of the fishermen and pay the expenses of that delegate you will find that quite a number of people will be disgruntled. They will say that so and so has been sent to Ottawa at the government's expense and they also desire that privilege. I think you will be opening a door that will be rather a wide one. I think the answer to that telegram is: yes, certainly, we will hear you on such and such a day.

Mr. KINLEY: If the expenses of a witness are paid, from what fund do they come?

The CHAIRMAN: Expenses of the committee.

Mr. KINLEY: The expense does not come out of the fisheries appropriation of Canada?

The CHAIRMAN: Oh, no.

Mr. KINLEY: I have been here only a short time, but I attended some committees last year—the radio committee in particular—and that committee brought people from all over Canada. The farmers bring them in without the slightest provocation. But when it comes to fisheries everybody seems to think that we need to economize. Now, Mr. MacNicol has said that he is against bringing these people and paying them—

Mr. MACNICOL: I am not against them coming.

Mr. KINLEY: But the minute you suggest some of these fishermen coming he wants some from Sooke to come. He shows an interest. I would like to hear them all, but I think they should be restricted to some degree as to expense. If we are going to bring them we should compromise to the extent of providing railway transportation and select witnesses who, we think, would be of service to the committee in its investigation.

Hon. Mr. TOLMIE: If the Sooke traps are so injurious to the cannery interests in the other parts of British Columbia, will the cannery men not assist these fishermen in sending a delegate?

The CHAIRMAN: I feel sure they will send a delegate even if they do pay his expenses. I come from a fishing section of the country where we have large farming interests and fishing interests on a small scale, and I feel that our fishermen have never been given a fair break. I am really surprised at the attitude of certain members of this committee in connection with this matter. However, are you ready for Mr. Neill's motion?

Mr. NEILL: I suppose I ought to change my motion, Mr. Chairman, because it will be necessary to tell these people that they should wire us on a certain day telling us when they would arrive, and also if we are going to pay them in whole or in part we ought to limit them to, say, two or even one; and we ought to say that that man or those two men must be agreed upon amongst themselves as being their representative.

Mr. TOMLINSON: Yes.

Mr. NEILL: Let them settle that among themselves.

Hon. Mr. STIRLING: Whom do you mean by them?



Mr. NEILL: The six associations. Let them agree among themselves. Let them do the picking out, and if they make a fool choice that will be their mistake.

Mr. REID: Could the amendment not read that representatives will be heard from organizations and others interested. That would meet the point of allowing anyone to come.

Mr. KINLEY: What is the status of those who have appealed?

Mr. NEILL: I know them all by name. The Fishermen's Union is a Vancouver outfit; the Salmon Purse Seiners Union are mostly purse seiners; the Upper Fraser Fishermen's Association I know nothing about, but Mr. Reid could tell you about it; the British Columbia Trollers Co-operative Association is one which takes in all the trollers in British Columbia. I know the last three quite well, especially the last two. The Kyuquot Trollers Co-operative Association has 288 members paid up and they all own their own boats.

The CHAIRMAN: There is a telegram from the Prince Rupert Association.

Mr. NEILL: Yes. Mr. Hanson knows of that.

Mr. MACNICOL: There is one association mentioned which has 288 members all paid up who own their own boats.

Mr. NEILL: Yes.

Mr. MACNICOL: That is not the kind of poor fisherman that some hon. members have spoken of.

Mr. NEILL: You might pay your debts and still be a poor fisherman. We like to do that in British Columbia.

The CHAIRMAN: There is a telegram here signed A. Pederson, which says:—

The undersigned with twenty years seining experience in British Columbia waters can testify that the trap locations at Sooke have less tidal stream than Johnson strait where seining is successfully conducted stop Regarding phosphor in water this does not affect salmon seining as it is all day-light fishing.

That is the question Mr. Tomlinson was vitually interested in.

Mr. REID: Mr. Neill's motion, provided it is widened so that representatives from other interests and associations be also heard, would be all right; but if it goes through in the form it is it could be interpreted strictly speaking to cover representatives from those who have appealed by wire or letter to Mr. Neill—

Mr. NEILL: Not to Mr. Neill, to the chairman. I did not put this up. We must deal with some concrete body, and here are six bodies who claim they have witnesses, and if we are going to pay the expenses of one or two representatives we will need to put the onus of selecting that person or those persons on somebody. Here are six bodies who have taken the trouble to wire and they have 1,800 of a membership they say. I suggest we deal with them. Anybody else who comes should pay their own expenses.

Mr. KINLEY: You suggest dealing with the largest and most important one?

Mr. TOMLINSON: You can arrange it any way. I think the onus should be placed on the different associations from British Columbia, who would be interested in sending down one or two witnesses, to select one or two from any association that they may deem advisable. I think that would give us the most concrete evidence we could get.

Mr. NEILL: I think one should represent the trollers and one the seiners.

The CHAIRMAN: You would leave it to the associations to choose the representatives?

Mr. MACNICOL: Choose them from whom?

The CHAIRMAN: Let the witnesses represent the associations. We shall ask them in the wire when they can arrive here.

Mr. NEILL: Yes, that would be all right. I would make it a little wider. Let the witnesses represent the associations mentioned and any other large body of fishermen.

Mr. REID: As you know we have an association of the Upper Fraser fishing people, the other association is closer to the mouth of the river with headquarters at New Westminster. They have not yet sent a telegram but the one farther up the river has sent a wire asking that representations from them be heard; hence my reason for saying that the inquiry should include all representatives.

Mr. MACNEIL: Why not put the onus on the organized fishermen?

Mr. NEILL: Mr. Chairman, there is only one other large body. Indicate in the telegram that the delegate must include also the concurrence of the B.C. Protective Fishermens' Association.

Mr. MACNEIL: That covers the field.

Mr. MACNICOL: Would that permit a delegate to come from the Sooke district as well?

Mr. MACNEIL: We have heard them.

Mr. NEILL: There are no fishermen there.

Mr. MACNICOL: Mr. Neill has submitted one of the finest briefs one could hear.

Mr. TOMLINSON: You have no other side.

Mr. MACNICOL: You are going to permit one side to send a delegate, and you are now suggesting that the other side should not send a delegate.

Mr. NEILL: There is no other side; they are not fishermen.

Mr. MACNICOL: I want to say I was very much impressed by Mr. Neill's representation.

Hon. Mr. TOLMIE: I think we should have the privilege of examining one of these men who are operating at Sooke.

Mr. NEILL: They are simply trap labourers.

Hon. Mr. TOLMIE: They understand the trap end of it.

Mr. NEILL: They are employees of the trap company.

Mr. REID: I do not see any real reason why we should limit it. I think Dr. Tolmie's suggestion is a good one.

Hon. Mr. TOLMIE: Let us get the workmen's side.

Mr. REID: Let us hear the working end of it.

Mr. TOMLINSON: That might be all right. It might be very nice to get him in the box.

Mr. NEILL: He is only an employee.

The CHAIRMAN: Well, if we are not going to pay them I do not see why we should limit them to two witnesses.

Mr. NEILL: I thought it was understood we were to pay the transportation.

Mr. TOMLINSON: I am in favour of paying the transportation only.

Mr. NEILL: That is all right.

Mr. TOMLINSON: Two transportations only. Let them pay some expenses as well.

Mr. REID: That is quite all right.

Mr. CAMERON: That will restrict them.

Mr. REID: I do not think that will ruin the treasury.

Mr. MACNICOL: Dealing with the question of transportation, you will have to limit them as to whether they will take a lower berth or a compartment—it is no laughing matter. I have seen cases right here where compartments were charged to the government.

The CHAIRMAN: What about tips?

Mr. REID: I do not think it will interfere with the balancing of the budget next year.

Mr. MACNEIL: Give the fishermen a break.

Mr. KINLEY: Give them a first class ticket.

Mr. MACNICOL: Some of the people at Sooke may want to send a man down.

The CHAIRMAN: The motion before the committee is that two representatives of the fishermen's organizations in British Columbia be asked to appear before this committee and that their transportation only will be paid.

Mr. REID: That they will be assisted to the extent of transportation.

Mr. CAMERON: If more wish to come at their own expense they could come.

Mr. TOMLINSON: You might place that in the wire.

Hon. Mr. TOLMIE: Fix a day for their arrival here.

Mr. NEILL: I do not think you can do that because they have to get in touch with those other associations. Ask them to wire and indicate to us when they can arrive here.

The CHAIRMAN: It would take them a week.

Mr. REID: Probably next Monday.

Mr. MACNICOL: Before the question is put I should like to register my objection. I object to the privilege being given these representatives and not given to the Sooke fishermen.

Motion agreed to.

The CHAIRMAN: Senator Green is here and would like to say a few words.

Mr. REID: I suggest he be heard.

The CHAIRMAN: Senator Green, the committee has decided that all witnesses must be sworn.

Hon. R. F. GREEN, called and sworn:

The CHAIRMAN: Now, Senator, you may make your statement. I think possibly we should permit the Senator to make his statement and if there are any questions later they can be asked.

The WITNESS: Mr. Chairman, I may say very frankly at the outset that I am and have been opposed to traps of any description in the province of British Columbia. I cannot tell you very much about it. I do not think I can add very much to the evidence—I have read most of it. I cannot add very much to the evidence you have already before you, but I wish to make this statement: twenty odd years ago I purchased a summer house, or rather purchased a place and built a summer house at Becher Bay, and have my summers there and part of the winters, as a matter of fact, since that time. When I went there there were fishermen, trollers, particularly, with the sportsmen on whose behalf I am not speaking at all, there in great numbers. Their operations, as I understand it, then extended from Quatsino around perhaps to Brentwood, and from there up, of course, towards the Cowichan. They were there, as I say, in large numbers. In Becher Bay proper they occupied a dozen holdings. There was on an average probably fifteen to twenty fishing boats there, trollers the year round. Of course, in the off-season they would probably



pile into Victoria or something of that kind and come back, but that was their home; that is where they made their living. A lot of them fished out of Sooke Harbour, Peddar Bay, and they were all making fair money. From that time to this they have simply gradually become depleted. This last winter there was one boat that stayed in Peddar Bay as its home port, as it were, and there is another one in and out. That has been caused, they tell me, by the traps which they claim hurt their fishing in two ways; the first one is they say they break up the schools and catch the greater proportion of the spring salmon that run in the vicinity. The second is, as far as the cohoes are concerned, that the cohoes instead of coming in along the line close to Becher Bay, as they have in the past, that the traps are in such a way that they break up the school there and the greater portion of the school goes across to the other side, twelve miles across from Becher Bay to the American shore. I do not know that there is anything more I can say. That is the situation as I see it and as I have found it day in and day out for the last twenty years, which has gradually cut them down from a large number of boats in that particular area to one or two. Their contention is that it is caused by the impossibility of their catching spring salmon and cohoes in sufficient quantities to pay them.

*By the Chairman:*

Q. And the traps are the cause of it?—A. The traps are the cause of it.

Q. What distance would that section be from where the traps are located?—

A. Becher Bay is probably 5 or 6 miles—the traps are not more than 5 or 6 miles from Becher Bay.

*By Mr. Taylor:*

Q. Are the traps as close into Becher Bay as they are to Sooke?—A. No, not at Becher Bay.

Q. How close is it to Becher Bay?—A. Well, you cannot see it from Becher Bay, of course.

Q. Beechy Head?—A. Beechy Head is the southernmost point of Vancouver Island, and from Beechy Head you can see the traps a short distance off down towards Sooke.

*By Mr. MacNicol:*

Q. Do the traps project out of the water?—A. Yes.

*By Mr. Taylor:*

Q. These trollers merely catch the spring salmon and cohoes, or do they catch the sockeye as well?—A. They cannot catch the sockeye by trolling; the sockeye won't take the troll.

Q. They do not use gill nets at all?—A. Not there.

Q. Do they fish out in the waters beyond the trap area?—A. Well, I do not know anything about the trap area, but along this part they fish probably half way across.

Q. They keep relatively close to the shore?—A. They keep relatively close to the shore.

Q. They blame the traps for their not being able to catch the fish?—A. Yes.

Q. Yet the whole of the other twelve miles across from that point was available to them?—A. All available.

Q. All available?—A. Yes.

Q. Did they never attempt to make use of it?—A. They worked it as far as they could find fish.

[Hon. R. F. Green]

*By Mr. Moyer:*

Q. Where have these trollers gone in the meantime?—A. I think most of them are really gone out of business or gone up the west coast towards Rivers Inlet.

Q. Has not the true prosperity in that area you speak of been subsiding continuously the last twenty years?—A. Gradually.

Q. The traps have been there, as you know, thirty-three years.—A. Yes. I know; I cannot speak of anything beyond the time that I know the place.

*By Mr. Taylor:*

Q. In your opinion, Senator, would the traps be the cause or is it just their statement?—A. In my opinion?

Q. Yes.—A. It is a matter of opinion, but I would say "yes." Of course I must confess I don't know anything about it; as I said at the outset I have always been opposed to the traps and always felt that they were a detriment to the fishing industry as such, not only the fishermen themselves, but the fishing industry generally.

Q. Twenty years ago there were fifteen to twenty trollers, and they have dropped down to about one?—A. I am only talking of a very limited area; I am only talking about this little Becher Bay.

Q. The inference, of course, is that the traps have affected the fishing industry all around that district?—A. Yes.

Q. Secondly, thirty-three years ago there must have been a great number of trollers all around that area, so as to supply the same relative—

MR. CAMERON: I submit you should not argue with the witness. You should ask questions.

MR. TAYLOR: I do not wish to argue. I am just trying to get evidence about this location.

THE WITNESS: I would not say anything about thirty-three years ago, because at that time the method of fishing may have been different. They may have had seines, gill nets, although I know—

*By Mr. Moyer:*

Q. Your opinion, which you say is based on views you have had from those in the business, has to do altogether, I take it, with the trollers?—A. Oh, yes.

Q. You have nothing to say about purse seiners?—A. No; I do not anything about that.

*By Mr. Neill:*

Q. May I ask a question in regard to the sportsmen's point of view to have it on the record. The springs are these big fish that are so much sought after by the sports fishermen?—A. Yes.

Q. The same applies to the coho; they take the fly?—A. Yes.

Q. That makes a very valuable asset. Now, with regard to British Columbia and the southern part of Vancouver Island, are not they becoming tourist trade conscious and is there not an enormous possibility there of developing the tourist trade?—A. Yes.

Q. Which is largely dependent on supplying the tourists with suitable fishing?—A. Yes.

Q. And all you have indicated with regard to the elimination of the troller fishermen would apply equally to the sports fishermen?—A. Undoubtedly. No question of that; because when I went to Victoria first thirty-five years ago possibly, everybody used to go out and troll for spring salmon, and you could troll for them right off the docks around there. They go now, but you do not get any fish to any extent; you might get the odd one.

*By Hon. Mr. Tolmie:*

Q. Senator Green, are you of the opinion too that the seiners and the gill nets played an important part in reducing the number of fish in these thirty years?—A. Well, so far as that is concerned, I do not know anything about it. I would imagine from what I know the seiners particularly have a lot to do with the reduction, but as to gill netting, I do not know anything about the gill net, but the gill net certainly made a fine job of the spawning ground on the Fraser river.

*By Mr. Kinley:*

Q. I suppose the impression you get is that the barricade in the water going out one-third of a mile breaks up the schools and directs them off in another direction towards the American coast, and they do not follow our coast?—A. The idea that I have and the idea I have formed—I do not know how correct it is—I know perfectly well that these fish follow the coastline around. Now, you stick that trap out there a half or three-quarters of a mile, and it is a narrow channel; it is in the gulf there. I do not know how wide it is at that point, but it is a channel of four or five miles, and it is twelve miles across. You take that away and they are not going to go back to that shore if they have to go around that trap.

*By Mr. Moyer:*

Q. The other day Mr. Neill tabled a petition which he said had been presented by yourself?—A. Yes.

Q. I understand that that petition is identical in language with the petition which appears in the record as appendix I thereto?—A. I presume so. I thought it was when I brought it in.

Q. Do you know how many names were on that petition?—A. No.

Q. The statement was made this morning that there are 134?—A. I imagine that is right. I did not look over the names. It was a petition handed to me by one of those fishermen with the explanation that it had not arrived in time to be sent with the others. As he pointed out, it was a very important body.

The CHAIRMAN: Now, before we adjourn, is there any need for the committee to meet before these men arrive?

Mr. REID: Meet at the call of the chair.

Mr. MOYER: Before we adjourn, I have a written confirmation here of a telegram that Mr. Goodrich quoted from in his evidence at the second last sitting from the chartered accountants in Victoria. I would like to file it.

Mr. MACNEIL: I would like to ask the department if they are in a position now to give the percentages of the catch on the Fraser river back for, say, ten or twelve years, the species of fish caught in the traps, and its relation to the general catch on the Fraser river.

The CHAIRMAN: Before we adjourn may I convey the thanks of the committee to Senator Green for appearing here and making his statement.

The committee adjourned at 1 o'clock p.m. to meet at the call of the chair.







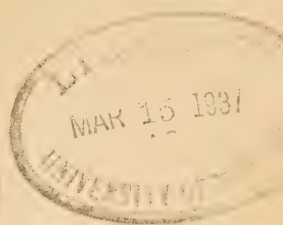






gov. Doc  
Can  
20m  
M

*Marine and Fisheries, 1937*  
SESSION 1937  
HOUSE OF COMMONS  
*CAI XC 17*  
*-M12*



STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 8

WEDNESDAY, MARCH 10, 1937

WITNESS:

Mr. J. A. Coverdale, Port Alberni, British Columbia, representing eight fishermen's organizations in that Province.

OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1937





## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS COMMITTEE ROOM 429,  
WEDNESDAY, March 10, 1937.

The Standing Committee on Marine and Fisheries met at 11 a.m. this day, the Chairman, Mr. A. E. MacLean, presiding.

*Members of the Committee Present:* Messieurs Brooks, Cameron (*Cape Breton North-Victoria*), Green, Hanson, Hill, Kinley, MacLean (*Prince*), MacNeil, MacNicol, McCulloch, McDonald (*Souris*), Michaud, Neill, Pelletier, Reid, Stirling, Taylor (*Nanaimo*), Tolmie, Tomlinson, Tustin, Veniot—21.

*Present as Witnesses:*

Mr. George Miller, Vancouver, and Mr. J. A. Coverdale, Port Alberni, British Columbia, both representing the following fishing organizations of British Columbia, viz:—

Pacific Coast Fishermen's Union;  
Salmon Purse Seiners' Union;  
Upper Fraser Fishermen's Association;  
North Island Trollers' Co-operative Association;  
Kyuquot Trollers' Co-operative Association;  
British Columbia Trollers' Association;  
British Columbia Fishermen's Association; and  
Prince Rupert Fishermen's Co-operative Association.

*Also Present:*

Mr. L. Clare Moyer, K.C., barrister, Ottawa, counsel representing Sooke Harbour Fishing and Packing Company, Sooke Harbour, B.C.

Dr. Wm. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

The Chairman submitted a number of telegrams received by him, and replies sent, in connection with the two witnesses sent as representatives of the different organizations and matters pertaining thereto, which were read into the evidence of this day.

Mr. Neill submitted a telegram from Mr. V. Martinolich, Vancouver, re a statement imputed to him and quoted. A telegram from Vancouver, signed Pacific Coast News, referring to legislation in the Washington State Legislature; also a petition against traps, signed by B.C. Trollers' Association and some forty other names. (See evidence this date for full details.)

Hon. Mr. Michaud submitted a statement from the department showing number of salmon caught at Sooke traps—also total catch for B.C.—1927 to 1936, including all varieties. Copies were distributed to members of the Committee for their information.

Mr. Green and Mr. Hanson, by leave of the Committee, made certain corrections in the evidence of a previous meeting.

Mr. J. A. COVERDALE, called and sworn.

The witness and Mr. George Miller submitted a telegram and a certificate of endorsement of the two witnesses as representing several fishermen's organiza-

tions in British Columbia, the telegram signed by the Prince Rupert Fishermen's Co-operative Association, and the other signed by five different fisheries organizations, with names of president or secretary attached.

The witness was examined by the Committee as a whole and the questioning was general. At one o'clock the Committee had not finished the examination. Witness retired.

After some discussion as to the next meeting the Committee finally decided to meet again to-morrow (Thursday) at 11 o'clock a.m.

By general consent the Committee adjourned.

E. L. MORRIS,  
*Clerk of the Committee.*

## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

Room 429,

March 10, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock, Mr. A. E. MacLean, the chairman, presided.

The CHAIRMAN: Now, gentlemen, we have a quorum and I think we should get started as quickly as possible. First of all, I think I should put on the record the telegrams that I sent to British Columbia in connection with the decision that was reached at our last meeting to bring witnesses here from British Columbia. This is a copy of the telegram that was sent. It was addressed to George Miller, Esquire, 178 Hastings Street East, Vancouver, British Columbia, and reads as follows:—

“Re tel February 24 committee willing hear two witnesses representing bonafide fishery organization with full knowledge situation there Stop suggest they bring credentials from all organizations you mention including BC fishermens protective association and princerupert co-operative association Stop railway transportation will be paid for two only but others can appear their own behalf Stop wire earliest possible date they can arrive so I can arrange date meeting Stop expenses clear railway fare not paid by committee.”

Then we received some other wires. I have a copy of a reply from Mr. Miller saying:—

“Association here received wire from Reid stating they may send two representatives each association transportation paid Stop is this correct or as per your wire to me of March first will notify you when leaving on receipt of answer to above we expect transportation arranged this end.”

I replied to that telegram as follows:—

“Re tel regret say Reids information incorrect Stop committee will only pay transportation two witnesses Stop other expenses must be borne by themselves Stop suggest those witnesses should have firsthand knowledge fraser river situation and fraser river interests who are acquainted with gillnetting trawling seining etcetera Stop transportation being arranged canadian national railways at vancouver Stop reply today giving names and stations if possible.”

Mr. MACNICOL: Is the Mr. Reid referred to a member of the departmental staff?

The CHAIRMAN: No; it is the Mr. Reid who is a member of this committee. We received this telegram from Vancouver, British Columbia, dated March 4:—

“A. E. MacLean,

Chairman Fisheries Committee, Ottawa, Ont.

George Miller and J. C. Coverdale elected here to appear before your committee are ready to leave friday night March five endorsed by six organizations including those you mention your wire.

George Miller.”



Then we have a telegram from South Gabriola, B.C., which reads as follows:—

“A. E. MacLean, Chairman Fisheries Committee,  
Ottawa, Ont.

Miller and Coverdale elected represent BC trollers re traps Mrs. M. Taylor, Secretary, B.C. Trollers Assn.”

Then I have a telegram here from Prince Rupert which reads as follows:—

“A. E. MacLean, Chairman Fisheries Committee,  
Ottawa, Ont.

Since representative B.C. trap interests appeared before your committee we claim right B.C. fishermen be heard.

Prince Rupert Fishermens Coop. Assn.”

I have another one here from Whonnock, B.C., March 5, which reads as follows:—

“A. E. MacLean, Chairman of Committee on Marine and Fisheries,  
House of Commons, Ottawa.

This will notify you that G. Miller and J. A. Coverdale now en route to Ottawa have authority to represent this association before the House of Commons standing committee on Marine and Fisheries signed Upper Fraser Fishermens Association.

F. Rolley, Secy. Treas.”

I acknowledged all these wires. Possibly I had better put this one on the record. It is dated March 1, and is addressed to the Prince Rupert Fishermens Coop. Assn., and reads as follows:—

“Have wired Geo. Miller 178 Hastings St. Vancouver to get in touch with you re sending delegates to Ottawa.

A. E. MacLean.”

That was in reply to a request of the Prince Rupert people that they wanted to be heard. Was there anything else in connection with this, Mr. Moyer, that you wanted to say?

MR. MOYER: I think it might be well, Mr. Chairman, to establish, if it can be established, whether the intention of the committee has been carried out. At the last meeting it was said that the delegates should carry credentials from all the associations that were discussed here. They probably can establish that for themselves when they are called. I do not think that the credentials are complete as read by you.

THE CHAIRMAN: We have wires from the associations and we have a wire from Mr. Miller saying that he carried credentials from the other associations.

MR. REID: I think that is a matter for the committee to decide; it is not a matter for Mr. Moyer.

MR. MOYER: I am just suggesting it. Naturally it is for the committee to decide.

MR. MACNICOL: If the wire read by the chairman stated that one witness carried with him credentials from the other associations, that will be sufficient.

THE CHAIRMAN: I think that will be sufficient.

MR. TOMLINSON: The witness will take his oath and give his evidence as to credentials.

THE CHAIRMAN: Mr. Neill has handed in two telegrams this morning. One is from Vancouver, British Columbia, and reads as follows:—

"A. W. Neill, M.P., House of Commons, Ottawa, Ont. Measure to amend initiative 77 defeated by vote 24 to 16 in Washington Legislature March 6 STOP initiative will stand for another two years exactly as passed in 1934.

Pacific Coast News."

The other one is from Vancouver, British Columbia, and is dated March 8, 1937, and reads as follows:—

"A. W. Neill, M.P., House of Commons, Ottawa, Ont. I never made a statement as indicated in wire dated February 20 and read by Goodrich before fisheries committee STOP with no traps in Sooke area I am convinced that seiners and gill netters could fish this area.

V. Martinolich."

I have in my hands a petition that was sent in by Mr. Neill also.

Mr. NEILL: It is a petition signed by fishermen—I am not sure that all signatures were of fishermen, but it is signed by 41.

The CHAIRMAN: It is in the form of a resolution, which reads as follows:—

"WHEREAS: The system of allowing salmon to be taken in fish traps grants a special privilege to those allowed to operate such traps, and helps to create a monopoly that is detrimental to the fishing industry and the public as a whole, and

"WHEREAS: The abolition of fish traps in the area of Sooke would show its effectiveness in conservation and distribution of work among those engaged in the fishing industry, therefore,

"BE IT RESOLVED: That we, the undersigned, hereby petition the Federal Government to discontinue the issuing of any further fish trap licences in the Sooke area.

B.C. Trollers Association,  
Per Mrs. Margaret Taylor, Sec'y."

Mr. MACNICOL: Where is it from?

The CHAIRMAN: It is from British Columbia.

Mr. MACNICOL: What place in British Columbia?

The CHAIRMAN: There is no name—B.C. Trollers Association.

Mr. MACNICOL: That would not be anything at all. There should be the name of the place and the proper date. That might have come from away up the Fraser river or any place and have no relation to this matter.

Mr. NEILL: This comes from Victoria, and is signed by Ernie Bowden. The addresses are all given.

Mr. MACNICOL: I asked for the address of the association sending in the petition.

Mr. NEILL: Do you want me to read it out?

Mr. MACNICOL: I do not want the address of individuals.

Mr. NEILL: The secretary is Mrs. Margaret Taylor. If you wish I can read the letter of the man forwarding it.

Mr. MACNICOL: No; I asked the chairman for the name of the place from which it had been sent. He replied there was no place named. You have given me the place, and that is satisfactory.

The CHAIRMAN: Are you ready to hear one of these gentlemen?

Hon. Mr. MICHAUD: Before we proceed I should like to state that at the last meeting of the committee Mr. MacNeil asked this question: "I would like to ask the department if they are in a position now to give the percentages

of the catch on the Fraser river back for, say, ten or twelve years, the species of fish caught in the traps and its relation to the general catch on the Fraser river." We have here statements running back as far as 1909. On the Fraser river we file statements giving the information as far back as 1909 and for the province in 1927.

Mr. MACNEIL: May I ask if this information will be included in the appendix to the proceedings?

The CHAIRMAN: Yes, I think it had better be printed in the report. Mr. Green would like to make some corrections in the committee's report of the last meeting. I think we should give Mr. Green the opportunity to make the corrections now.

Mr. GREEN: Senator Green asked to have these corrections made. On page 219 the word "spent" should be inserted after the word "have" in the seventh line of the last paragraph, the sentence will then read, "... and have spent my summers there." Then, the third line from the bottom should read, "In Becher Bay proper they occupied all the available holding grounds" instead of "a dozen holdings" as it now reads. Then, on page 220 in line three the words "and Becher Bay" should follow "Peddar Bay." Then, in the fifth line "Peddar Bay" should be "Becher Bay." Then, referring back to page 219, the fourth line from the bottom, the sentence should read, "... and from there up 'towards Active Pass,' of course, towards the Cowichan."

Mr. HANSON: I have a correction to make. On page 149 I am reported to have said "I have tried." That should read, "It has been tried." Everybody knows I have not tried to get any traps.

The CHAIRMAN: Who is the first witness?

JAMES COVERDALE, called and sworn:

The CHAIRMAN: Mr. Coverdale has handed me some credentials that he has brought with him, and I think they should be put on the record. The first one is a telegram from the board of directors of the Prince Rupert Fishermen's Association and reads as follows:

"Geo. Miller,

An answer date, 176 Hastings St. East,  
Vancouver, B.C.

Board of directors Prince Rupert Fishermens Coop. Association agree endorsement of two candidates approved by six fishermens organizations to act on our behalf on trap question.

Prince Rupert Fishermens Coop."

Then there is a memorandum from Vancouver, British Columbia, dated March 4, 1937, which reads as follows:

"TO WHOM IT MAY CONCERN:

This is to certify that J. C. Coverdale and George Miller have been duly appointed to represent the following organizations at sessions of the Fisheries Committee, Ottawa, as witnesses on behalf of our Associations against the issuing of trap licences in British Columbia:

Signed:

Salmon Purse Seiners Union, Dan Hemow, Secretary;  
B.C. Fishermen's Protective Assn., Bernard Larsen, President;  
North Island Trollers Coop. Assn., Chris Eden, Pres.;  
Kyuquot Trollers Co-operative Assoc., E. Larum, Pres.;  
Pacific Coast Fishermen's Union, D. Martin, Pres."

[Mr. J. A. Coverdale.]



Mr. NEILL: In order that we might have sequence to the discussion I should like to mention that one of the particular arguments put up by the Goodrich interests is that traps are the only means by which salmon can be taken in the locality. I should like to ask the witness what he knows on that subject.

Mr. TOMLINSON: Has the witness been sworn?

The CHAIRMAN: Yes. You may proceed and tell your own story in your own way.

The WITNESS: Mr. Goodrich says that they cannot catch fish other than by fish trap there.

Mr. MOYER: He did not say that; he said economically.

The WITNESS: It is a mistake.

Mr. MOYER: Mr. Goodrich did not say salmon could not be caught by any other means in that area.

Mr. NEILL: Where did he use the word "economically"?

Mr. MOYER: He did not use the words you attributed to him just now.

Hon. Mr. MICHAUD: You had better turn up the record and give us the whole statement. That is the only way we can clear the matter up. There is no use arguing about it.

Mr. NEILL: Where is it?

Mr. MOYER: I am saying you are misquoting when you ask the witness if fish can be caught other than by traps in that area. When you say that fish cannot be caught other than by traps in that area, according to Mr. Goodrich, you are not quoting Mr. Goodrich correctly.

Mr. NEILL: He did say that.

Mr. MOYER: I think you had better give us the place where he said it, then.

Mr. NEILL: Go on.

The WITNESS: If traps were out of there it is a good place for purse seining and a good place for gill netting and a good place for trolling. When the traps are not there early in the spring you can troll there, as the traps are clear and it is a good place for netting spring salmon; but later on the traps get in and little fish get caught fast in the web and here come the dogfish and there is just nothing but a lot of dogfish around these traps, so you certainly can't catch salmon around the trap or any place else where there is dogfish, with trolling or gill netting.

*By Mr. Hanson:*

Q. May I ask the witness if he has fished in that area himself?—A. Yes, sir; I gill netted there.

*By Mr. Moyer:*

Q. How long ago?—A. 1919.

*By Mr. MacNicol:*

Q. Are you fishing now?—A. No, sir, not now.

*By Mr. Taylor:*

Q. What is your occupation now?—A. Longshoreman.

Q. When did you cease fishing?—A. 1931.

*By Mr. MacNicol:*

Q. May I ask this witness a question with regard to dogfish. I do not know much about fish, but are they not caught in the nets too? I got the idea that they hang around the nets but are not caught?—A. That is the trouble. They are no use to you, and they are so enormous that you cannot work there. That is all.

*By Mr. Taylor:*

Q. So numerous you mean?—A. Yes.

Q. But they are caught in purse seines?—A. Yes.

Q. They follow the fish everywhere?—A. Yes.

Q. It is just an incident that you have the dogfish in the traps the same as you have them in the purse seines.—A. I saw a piece in the Hansard where Eric Bostrum made a good catch at Sooke, but that must have been early in the spring, because these dogfish certainly gather around those traps and are no use.

*By Mr. Neill:*

Q. Why do they gather around the traps?—A. There is more or less offal from the traps and they are there feeding.

*By Mr. MacNicol:*

Q. I understand this is a matter of your own personal observation. You have been around the traps and have observed these conditions personally.

*By Mr. Hanson:*

Q. Have you ever worked on traps?—A. I helped drive these traps I am speaking of, hang a web on them and lift them and take the fish out of them.

*By Mr. Neill:*

Q. Explain what you mean by offal?—A. There is an awful lot—in the spring they catch some herring and a lot of pilchards and they get wedged in between the web—the wire and the web too, and after a few days they do not because the moss gathers on this tarred web until it is pretty near a solid ball and there is nothing to get out.

*By Mr. Moyer:*

Q. You said you helped drive these traps. Were you employed by the Sooke Harbour Fishing & Packing Company?—A. Yes, by the Sooke Harbour Fishing & Packing Company.

Q. How long were you in their employ?—A. One season.

Q. Why did you leave?—A. We got into a little argument there with the manager, and I started to work in at 1 o'clock in the morning and came in at noon and he wanted me to go through to Victoria and load wire and we would not be back until about 6 in the morning, and I was supposed to leave at 1 in the morning to go and lift two traps below so I told him that was enough for me.

Q. Was the foreman at that time a man named Ellis Stoneson?—A. No, sir, Mr. Peter Graignie.

Q. And if Mr. Stoneson says that he was foreman at that time you, on oath, would say that is not correct?—A. Yes, sir.

Q. Would you also deny what is stated in this telegram that you were dismissed for cause?—A. I quit. I was not dismissed. I quit on my own.

Q. The alleged cause of dismissal is contained in this telegram. I do not want to bring it before the committee, but the statement that you were dismissed for cause is contained here.

[Mr. J. A. Coverdale.]

Mr. TOMLINSON: I do not think this witness should be cross-examined until he has given his evidence.

Mr. MACNEIL: I cannot understand Mr. Moyer trying to bring in the personal record of this man.

Mr. MOYER: The witness has stated that he helped to drive these traps. I wanted to make clear why he left and what he was doing. I will not interrupt his regular evidence.

Mr. CAMERON: The witness should be allowed to tell his story, and then you can cross-examine him if you want to.

The CHAIRMAN: I understand that the witness has just stated that the man mentioned in this telegram was not his boss. Is that so, Mr. Coverdale?

WITNESS: No, sir. Mr. Peter Graignie.

*By Mr. MacNeil:*

Q. Was there more than one foreman engaged on the traps at that time?—A. There was a pile driver foreman and the manager.

Q. You are speaking of the manager now?—A. Yes. That is the man that hired me.

*By Mr. Moyer:*

Q. Who was the pile driver foreman?—A. Jack Martinson.

Mr. MACNICOL: I would like the witness to clear up something in my mind. I had the impression from what Mr. Goodrich said that the traps were lifted frequently, and I am interested in what has been said by the witness that there is moss and offal there, from which I infer the traps are not lifted. Would the witness mind clearing that up.

Hon. Mr. MICHAUD: You had better get an explanation of what lifting the traps means and then you will understand.

Mr. MACNICOL: The witness knows all about it.

Mr. MACNEIL: Perhaps if you refer the witness to the diagram on the wall he would explain.

The WITNESS: Here is your pot and here is a spiller. This is a double trap at Sooke. It is only just half of this here. This part is here, but this spiller is off, and these wings are not on. The fish catch just from one side. And here is a pot with a 40-foot square all around in depth—that is a web hangs inside of that just as a basket—a square web sits down inside here, and they have one that sits inside here 40 feet deep, and they have leads—wings come in here where the fish lead into this place, so at the change of the tide when it slackens, the fish that are in here—there is a watchman there and he just pulls them over like that so they cannot get out, and it is just the slack tide when she is ebbing when they would work out of there, and this has been done here.

*By Mr. Taylor:*

Q. Is that always the case?—A. About six weeks they leave this here web hanging in here until it gets so heavy and mossy they have to get them out of there as the tar gets worn off of the cotton and they have to look after them the same as a gill netter or anything like that. So they take them ashore and wash them and re-tar them and dry them and put another one in here that they have ready to put in there. But lifting the trap is taking the fish out of the trap.

Q. Before you sit down, Mr. Coverdale—you say there is a watchman at the pot?—A. Yes, sir.

Q. To prevent the fish going back again at the slack of the tide?—A. Yes, sir.



Q. And there is a definite tendency on the part of the fish at the slack of the tide to fall back with it?—A. Yes.

*By Mr. MacNeill:*

Q. Will they escape from the inner and outer hearts?—A. Not very well, because they drop the front apron down which is supposed to be clear down at the closed season, and you drop that 16 or 18 feet which should go 40 feet, and the fish are not down at the bottom. They have found they cannot go down so they are working up all the time and they are up at the top, and your trap is open and it holds them from working out at slack water.

Q. Will you explain where the apron operates on that diagram?—A. There is an apron operates across here 16 feet wide. This lead comes up right to here and there is an apron drops down here, and the piling comes down here and here. Suppose there is a hundred feet of water here. This piling is raised high with the driver—a wire web spike on here and they are fastened with a big ring which slides down this pile and one here and the others pull up here. There is a big ring also down here with a tarred rope, very solid, and they lay the wire and they lower it sixteen or eighteen feet until the wire is at 60 feet and they lower them to these piles.

*By Mr. MacNicol:*

Q. Sixty feet into the water?—A. Yes. That is on the bottom. It comes up 60 feet. There is an apron here rolled up on a pole 40 feet which should go down to meet that wire so the fish cannot get in through at closed season. But in all my experience I never saw that web down 40 feet, and many a time including the closed season and week time where there are lots of fish you will drop that web 18 or 20 feet and hold the fish from going out on the change of tide.

*By Mr. Reid:*

Q. Is there an opening between the two?—A. Certainly, there is an opening. They do not drop it clear down 40 feet. There is an opening there as the trap is fishing all the time.

Q. During the week-end they could come in?—A. Peter Gaignic and I were at Sooke at the Otter Point trap—that is one of their best spring salmon traps—at a closed season, and we went up to build a little house—

*By Mr. MacNicol:*

Q. Is that one of the Sooke traps?—A. Yes, sir, the Otter Point trap. And this is the closed season, so Mr. Gaignic said, "You get that house and we will put it on this trap." I was handling the stuff on the trap, and he goes over to the pot and the spiller where they lead in—this was about ten o'clock in the morning—and he said, "Jump in, leave the lumber alone and come here." We sat there for one hour and counted 268 spring salmon coming into the trap, and one fish particularly—he had a big spoon in his mouth. I said, "Pete, that is mine." He said, "All right, you can have it." So to-morrow when we came out to lift the trap I was looking for my spoon, and it turned out to be a 68-pound red spring, and he acted like the dickens because I was going to take that. That was ten o'clock on Friday, closed season.

*By Mr. Neill:*

Q. You and the boss?—A. Yes.

Q. And you sat and watched 268 springs going into the trap and the web should have been down?—A. Yes, the apron.

*By Mr. MacNicol:*

Q. Why could not the fish go out again if the apron did not go down to the bottom?—A. The fish have already dived down and found there is nothing; they cannot go out. They do not dive again. They are swimming around close to the top, and that apron holds them from going out, but it does not prevent the others from coming up to this 60 feet of wire, and here is an opening and they come in.

*By Mr. Neill:*

Q. When you talk about 268 springs that you counted— —A. Yes, Mr. Graignic and I sat there and counted 268.

Q. In one hour?—A. Yes. 10 o'clock on a Friday morning

Q. And the closed season begins when?—A. Six o'clock.

*By Mr. Moyer:*

Q. How long ago was that?—A. 1919.

*By Mr. Pottier:*

Q. How far from the surface did they have to come in?—A. About 12 feet.

*By Hon. Mr. Michaud:*

Q. You spoke of the closed season in 1919. Do you know if the same regulations are in force now?—A. No, I do not.

*By Mr. Kinley:*

Q. You spoke of the fish getting meshed and attracting the dog fish. You mean in the leader?—A. Yes.

Q. And the leader is not taken up during the season?—A. Never.

Q. And the leader is the place that will fill up with slime and green stuff?—

A. It does not fill up as the tarred web——

Q. But that is taken up once in a while?—A. Yes, that is taken up once in a while.

Q. But the leader is down for the season?—A. Yes.

Q. It meshes the small salmon, and the dog fish are attracted to get the small salmon?—A. Yes.

*By Mr. Hill:*

Q. If this is down only 12 feet from the surface, the salmon would go out again?—A. I did not say the mesh was only down 12 feet.

Q. You said they came in about 12 feet under the surface?—A. That was looking at them coming into the spiller 12 feet down.

Q. They would have to come through the opening?—A. They came through the wings, but the apron is down. They are coming from the pot into the spiller I am talking about now.

*By Hon. Mr. Michaud:*

Q. That was in 1919?—A. Yes, sir.

*By Mr. Moyer:*

Q. Do you remember the date? You remember the day of the week?—

A. I could not tell you that.

Q. You are pretty accurate on some details?—A. Well, I was right there.

*By the Chairman:*

Q. This particular fish that I understand you got for yourself had a trolling spoon in its mouth?—A. Yes, it broke the wire—the leader.

Q. I think that is very important. It shows that this fish had been in trolling ground. And they objected to you taking that fish?—A. He said, "you are not going to take that; that is a red spring." I said, "I would like to have a piece of red spring salmon as well as anybody else." He was quite sore about it because it was such a large fish, and early in the spring it was worth quite a bit of money.

*By Mr. MacNicol:*

Q. Whereabouts do the unions that you represent do their fishing?—A. In the strait.

Q. And in the Fraser river?—A. They are fishing all over.

Q. Do they fish near Sooke?—A. Some fellow sees the fish in the spring and he could catch them trolling, but he could not do it—only in the spring—but the traps being in there they go where they can put their season in.

Q. Could not he fish outside the traps?—A. No, because the tide is so swift and the fish are not out there. They work in in these eddies. The trap is in a bay. The swift current is outside and the fish are coming up. They drop in here for a rest and here is a trap that takes them in. So you could not do trolling there.

Q. Are all the traps in bays?—A. Most of them. Yes, sir, out of the swift water.

*By Mr. Kinley:*

Q. The traps are closed certain days of the week. I suppose that is the time when the apron is down?—A. They are supposed to be.

Q. Let us assume that is so. During that time that the apron is down do you think the fish come up to the leader and mill around there and are ready to come in when the apron is raised?—A. Absolutely.

Q. You do think that?—A. I know that.

Q. Do you think by the way that trap is constructed and placed that the fish that come up to the leader and go past it will have to go around these angles and go towards the American shore, splitting up the school? They won't follow the Canadian shore, but go across the bay to the American shore?—A. I never saw any milling around there because the apron was never down in my time.

Q. You mean they did illegal fishing?—A. So—

*By Mr. MacNicol:*

Q. That was in 1919?—A. So I did not see any fish milling around the spiller.

Q. Were the regulations not strictly followed as to conservation in 1919?—A. They had a fish guardian, but he did not come very close to the traps.

Q. Are inspectors appointed by the province to supervise the operation of traps?—A. They are. They are supposed to.

Q. Why would not the inspector prevent that illegal fishing?—A. If they bothered down there they would not have the job. That is the whole—

*By Mr. Taylor:*

Q. You are making the definite assertion that there is illegal fishing going on at the Sooke traps?—A. They were when I was there.

Q. In 1919?—A. Yes.

Q. Do you know if it is being done now?—A. No, sir.

*By Mr. Tomlinson:*

Q. When was the last time you were on these traps?—A. 1919.

[Mr. J. A. Coverdale.]



*By Mr. Moyer:*

Q. Were you not at one time an employee of the Department of Fisheries yourself?—A. Yes.

Q. Is that what you were basing your assertion on when you spoke about the inspectors?—A. The way it was done when I was there, they did not bother about these traps too much.

*By Mr. Hill:*

Q. How long were you on those traps—working on them?—A. I think it was in February to around September.

*By Mr. McCulloch:*

Q. When you counted those salmon 12 feet down was the water clear?—A. Yes, you could see them as clear as you can see your finger.

*By Mr. MacNicol:*

Q. Are the traps operated in the month of February?—A. No, but you are getting them ready. They pull the piles in February. You drag those off and you are sorting out your piles and trimming them up.

Q. And what would be the time of the year the traps would be actually in operation?—A. I think about the middle of April is when they started.

*By Mr. MacNeil:*

Q. Is there an apron placed at the entrance to the outer heart?—A. Yes.

Q. There are two aprons?—A. No, one. The outer heart. It is just this here where the fish lead in.

*By Mr. Tomlinson:*

Q. Show us on the plan. I am interested in this?—A. It is right here. This lead comes here, and this is your pot, so there is only one entrance here and one in here. You take the fish out of here.

Q. What is the other supposed to be—the outer heart?—A. Somebody has drawn a double here. Here is your lead here. This is not out here.

*By Mr. Kinley:*

Q. Don't they drop the apron on the outer heart?—A. I never saw any out there.

*By Mr. Tustin:*

Q. Show us where these fish come in?—A. They come right in here.

Q. Through that small space of 16 feet?—A. This is not drawn with wings. It ought to be wings from here to here and set out here with ropes about 12 feet and the fish come out here into this place.

*By Mr. MacNicol:*

Q. Do you say that neither the outer heart nor the inner heart are installed?—A. This is not here at all.

*By Mr. Moyer:*

Q. You are now speaking of 1919?—A. Yes, sir.

*By Mr. MacNicol:*

Q. I cannot see why the fish, when they come up against that lead, as I presume they do, do not go about their business again?—A. There is a tide

running here where this lead is set so that the fish are bucking the tide all the time and they are held into the tide.

*By Mr. Taylor:*

Q. At the change of tide you said it was necessary to draw the fish into that spiller?—A. Yes.

Q. At the change of tide the fish that had not got into the pot would move away with the tide from the lead?—A. Some back here would eventually move back, but this half in here will come right in here. They are trying to get around the lead all the time.

Q. During ebb time the tendency would be for the fish to fall away from the lead?—A. Yes, sir.

*By Mr. MacNeil:*

Q. As a matter of fact, the fish do not move back with the tide; they are continually trying to progress in the one direction?—A. Yes, sir. At the fish trap they are trying to get around here. Now, you are in slack water more or less here. The really swift water is running out here, and there is a kind of back eddy which will lead them along when the tide turns—a back eddy that the fish will keep working up.

*By Mr. Taylor:*

Q. Is it not a fact that eddies go the reverse way of the tide?—A. As a rule, yes, they do.

Q. Now, explain the position, if the eddies go the reverse way of the tide, why is it that the fish are going in there on the flow?—A. This trap is not set just exactly so the reverse tide is going to throw them away from there; they are set so they will fish a little bit on the turn of the tide. These fish keep working in here all the time. I never saw any milling around. They mill around in the pot or spiller.

Q. You have never seen any mill around?—A. Not to my knowledge.

*By Mr. MacNeil:*

Q. They go straight in the trap?—A. Yes, sir.

*By Mr. Pottier:*

Q. Where was the last trap that you saw on the map?—A. At Boulder Beach.

Q. Was it similar to this?—A. Yes, sir.

Q. How long ago was that?—A. 1919.

Q. You have not seen a trap for eighteen years?—A. Yes, sir.

*By Mr. MacNeil:*

Q. Was it not a matter of common knowledge among the fishermen that the same operation would be carried on?—A. Yes.

*By Mr. Pottier:*

Q. And the traps you saw did not have the outer heart or the inner heart?—A. No, sir.

Q. The fishing you are acquainted with is not the type carried on in this plan?—A. No, sir.

*By Mr. Kinley:*

Q. I understood that the apron was at the entrance to the outer heart. I understood the evidence to show that the apron was at the outer heart.

[Mr. J. A. Coverdale.]

Mr. MACNICOL: Yes. I myself asked that question before when another witness was before the committee, and the other witness—

The WITNESS: If there is an apron there, they do not need one here, because when the tide turns the fish are going right on. It does not matter. They can mill around. This apron will work the same as this apron.

*By Mr. Pottier:*

Q. Was there an apron there?—A. I do not know. This trap here is the one I am referring to.

Q. I cannot understand that trap at all?—A. If you drive that trap, this apron you could take away from right there and put it there, and it would be the same thing. You have fish there.

*By Mr. Moyer:*

Q. You did not see a trap of that kind?—A. No.

*By the Chairman:*

Q. Is it your opinion that some traps are built on these lines?—A. No, not to my knowledge.

Q. Do you think this would be a better trap?—A. Yes, sir, because it would catch more fish, but you would have to hold them in here with your apron, whereas you would only be holding as many as could be held in this pot the other way.

Q. The idea is that this is an improvement on the single apron?—A. It must be.

Q. Because all the fish that come in here are retained, and those within the inner heart are retained, and finally they work themselves into the spiller?—A. That is a much better trap.

The CHAIRMAN: Now, gentlemen, I wish to read the regulations to you:—

“3. During the weekly close time for trap-net fishing each trap-net shall be closed by an apron placed across the outer entrance to the heart of the trap, which apron shall extend from the surface to the bottom of the water, and shall be securely connected to the piles on either side of the heart of the trap-net fastened by rings not more than two feet apart on taut wires stretched from the top to the bottom of the piles, and such apron, or the appliance by which it is raised or lowered, shall be provided with a signal or flag, which shall disclose whether the trap-net is closed and which shall be of the form and character approved by the Chief Supervisor.”

In your opinion, are these regulations carried out?—A. No, sir. There are two piles go right down here, wherever the apron is, and there is wire on there, and rings as it says to hold that apron from flapping open. That is what the rings are for.

*By Hon. Mr. Michaud:*

Q. You say, in your opinion these regulations that were read out by Mr. MacLean were not carried out?—A. No.

Q. On what do you base that statement?—A. When I was actually working on the traps.

Q. Do you say they are not carried out now?—A. No, I would not say that. Pardon me.

Q. You are speaking of 1919?—A. Yes, sir.

Mr. TAYLOR: How long have these particular regulations been in force?



Mr. FOUND: Subject to correction I would say around 1926 or 1927.

Mr. TAYLOR: Prior to that have you any knowledge of the kind of regulations that were in force in this particular area?

Mr. FOUND: I would have to speak too much from memory. There was a time prior to that when we required a V-shaped opening in the lead for a time but I do not recall just what the years were.

*By Hon. Mr. Stirling:*

Q. May I ask the witness if he said he was in the employ of the Fishery Department?—A. Fishery Department?

Q. Yes.—A. Yes, sir.

Q. At what date, what period?—A. I think it was in 1930.

Q. For how long?—A. One season.

Q. In what position?—A. Guardian.

Q. Did your work take you to the Sooke traps?—A. No, sir.

*By Hon. Mr. Michaud:*

Q. Pardon me; are you positive that it was in 1930?—A. No, I am not.

Q. Would it not be in 1931?—A. It might be. I was going to ask you when that there cannery—

Q. Who do you mean?—A. Mr. Neill, as he was well acquainted—

*By Mr. MacNicol:*

Q. You are acquainted with Mr. Neill?—A. He was well acquainted with it as he lives there in Alberni.

*By Hon. Mr. Michaud:*

Q. You live there too?—A. In Port Alberni; when they put the cannery in, I could not remember whether it was 1930 or 1931 when that cannery worked around at Port Alberni.

*By Mr. Neill:*

Q. The co-operative cannery?—A. Yes.

*By Mr. Moyer:*

Q. Who recommended you for that position?—A. The Conservative Association.

Q. In 1930 as well?—A. Well, it was 1930 or 1931.

Q. You worked two years for the department?—A. No sir.

Q. Didn't you work on the clearing streams in 1931?—A. I would not say I was working—I was in the fisheries, yes, sir, about six weeks, two months upon the canal. I never remembered that. Mr. Stone, the president of the Conservative Association, sent me there.

*By Hon. Mr. Tolmie:*

Q. Was the president in the Alberni district?—A. Yes sir.

*By Mr. Tomlinson:*

Q. Why are you not now working for them?—A. Why? I will let you answer that.

*By Mr. MacNicol:*

Q. I should like to ask the witness a question. Witness, I understand you to say that you come from Port Alberni?—A. Yes, sir.

Q. That is away up on the northern coast of Vancouver Island?—A. Yes sir.

[Mr. J. A. Coverdale.]

Q. You are here representing the Fraser river—A. I am representing—they appointed me as a whole, as I had driven these traps and knew how the traps worked, and they sent me down to explain.

The CHAIRMAN: I had hoped we would have somebody actually representing the Fraser river.

The WITNESS: Yes, Mr. Miller.

*By Mr. Taylor:*

Q. Are you a member of any fishermen's organization?—A. No sir, not now.

Q. When did you cease to be a member?—A. Well, I really never was a member of a fishing—I owned my own purse seine and my own gill net, and I just fished one fall gill netting and one season purse seining.

Q. How was it you came to be chosen? Why did not the fishermen's association choose one of their own members?

Mr. NEILL: Is not that their business?

The WITNESS: As they wanted somebody who had actually worked on these traps. That is the only reason.

*By Mr. Taylor:*

Q. You made a statement that the fish that were caught in these traps were already in slack water or eddies?—A. Yes.

Q. Is that the reason for presuming that if the traps were out the seines would have a chance?—A. Yes, sir. As they cannot work the fish in the swift water, and they have the chance in here. But the traps being here they cannot work there; the trollers cannot work there either.

Q. Do the seines work from Sombrio Point down to Otter Point?—A. Very little.

Q. Why?—A. There is no fish; because there is no fish there; they are in around these traps.

Q. So that this is a really strategic position in the shore line?—A. Yes, sir.

*By Hon. Mr. Michaud:*

Q. Did you say that the reason why the seines are not operated in the water just mentioned by Mr. Taylor is that there is no fish there. You say that is the reason or is that the opinion offered to you?—A. Well, I think it must be about right because if the fish is outside of these traps where they can get at them these seines would certainly be there because there are plenty of them.

Q. You admit that they can get at them in these waters?—A. If the traps were out they could quite easily, because it is a very good place for gill netters too.

*By Mr. Moyer:*

Q. Now, Mr. Coverdale, you were working in 1919 on these traps?—A. Yes.

Q. At Sooke?—A. Yes.

Q. Have you been at Sooke since 1919?—A. I was up there once since.

Q. When?—A. About 1925.

Q. For how long?—A. Half a day there—one day, that is all.

Q. Fishing?—A. No.

Q. In connection with fishing at all?—A. No.

Q. Not in connection with the traps at all?—A. No.

Q. So since 1919 you have not been near those traps?—A. No, sir.

Q. Only one day at Sooke in that year?—A. Since.

Q. You say you have fished two seasons?—A. Yes.

Q. One season as a gill netter?—A. Yes—not a full season, part season in the fall.

Q. Where?—A. For cohoes and dogs.

Q. Where?—A. At Sooke.

Q. At Sooke?—A. Yes.

Q. Is that the same year?—A. I worked on the traps; yes, sir.

Q. You gill netted in the fall?—A. Yes.

Q. At Sooke?—A. Yes.

Q. For cohoes?—A. Yes, sir, and dogs.

Q. Now, that is the only season you fished?—A. Yes, sir.

Q. You have not gill netted since 1919?—A. No, sir.

Q. You say that you fished first at Sooke?—A. Yes, sir.

Q. When?—A. I think that was in—it must have been 1929, I think. I am not quite certain about that date.

Q. In what waters?—A. Barkley Sound.

Q. Was that purse seining?—A. Yes, sir.

Q. With your own outfit?—A. Yes; I chartered a boat and bought the nets.

Q. Just one season?—A. Yes, sir.

Q. You have not fished since then?—A. No, sir.

Q. So your experience in fishing on the B.C. coast is limited to what you have stated?—A. Yes, sir.

Q. But you worked one spring in 1919 on traps at Sooke?—A. Yes.

Q. In the same fall you claim you gill netted in these waters, and then around 1929 you operated a purse seine in Barkley Sound?—A. Yes.

Q. That is all your experience in fishing on the B.C. coast?—A. Yes, sir.

Mr. GREEN: Mr. Chairman, I think it is only fair to the witness, and it would make it easier for the committee to follow his evidence, if he were allowed to go ahead and tell his story as to why he is opposed to these traps and why the men he represents are opposed to these traps, rather than have him cross-examined every time he opens his mouth. That procedure makes it impossible for the story to come out. I would suggest he be allowed to go right ahead and tell his story.

Hon. Mr. MICHAUD: Do you think it would be evidence?

Mr. TOMLINSON: He doesn't know very much about fishing, as I see it.

Hon. Mr. MICHAUD: Do you think it would be evidence?

Mr. GREEN: Cross-examine him later. He is here representing all these other associations. We asked him to come here and surely he is entitled to give his evidence.

Hon. Mr. MICHAUD: I do not agree with that. We did not ask him to come here, he was sent.

*By Hon. Mr. Michaud:*

Q. You were directed to come here by your associations?—A. Yes; I did not care about coming here myself.

Mr. GREEN: It is pretty hard for a man to come here and be cross-examined by twenty-five people without having a chance to tell his story.

The CHAIRMAN: I think we should allow Mr. Coverdale to go ahead.

*By the Chairman:*

Q. In the first place, Mr. Coverdale, would you mind telling the committee why these organizations that you represent are opposed to the traps?—A. Because the traps are catching the fish and the fish are depleting each year.

Mr. TUSTIN: How does the witness know that that is the cause. He is not fishing himself and has not fished for a number of years. On what is he basing his statement?

[Mr. J. A. Coverdale.]



Mr. MACNICOL: I thought he was going to be given a chance to go ahead.

*By the Chairman:*

Q. Go ahead.—A. The reason I say that is every fisherman that you meet says that; that is his story.

Q. That is pretty near good enough.—A. I am not saying that I know that, only from what the fishermen tell me.

*By Mr. McCulloch:*

Q. Do you know what percentage of fish the traps take?—A. No, sir.

Q. We have it here, less than two per cent.

Mr. MACNEIL: Two per cent?

The WITNESS: I think it is very much more.

Mr. GREEN: We are right back where we were before. I suggest this man be allowed to tell his story and not be interrupted by anybody until he has. Then he can be cross-examined in the ordinary way. He is not being given a chance, and we are not getting any information. In the way we are proceeding it is a waste of his own time and a waste of money.

The CHAIRMAN: Start it again.

Mr. MCKINLEY: It seems to me this committee is getting on dangerous ground by stating that because he has not spent all his life fishing he cannot talk fish.

Hon. Mr. MICHAUD: Who said that?

Mr. KINLEY: The implication is this man does not know anything about fishing. He has been there all his life and fished two years. He must have some knowledge.

Mr. HANSON: They should have hired a lawyer.

Mr. KINLEY: If they had hired a lawyer it would be all right.

The WITNESS: I never went to school after I was twelve years old, so I am pretty easy for you fellows to work on; but I am just telling you all straight facts that I know.

Mr. TOMLINSON: Go on with your story.

The WITNESS: I have not had a great lot of experience but I am telling you just what I know in regard to the people about Sooke if the traps were to come out of there, that their livelihood would be taken away, and they would all leave there. That is false.

*By Mr. Tomlinson:*

Q. Give us your reason?—A. Because all of them there, Mr. Goodrich and Mr. Todd, would put purse seines on their boats and would put gill nets there, as they furnished gill nets in 1919 to some of the fishermen there in the fall. The Sooke Harbour Fishing & Packing Company sold them gill nets and they gill netted there. And they will put these men on these boats and catch the fish right there, but probably not catch so many at once. It will employ a lot more men, and they will be gill netting and trolling and purse seining there; and these men do not have to leave their homes or lose their basket-ball out there either, the ladies. They will stay right there. And as regards closing the cannery, that is all nonsense, because the cannery cannot handle all the fish that comes out of these traps. They just take a certain per cent of the fish out of the traps, and they go on the fresh fish market at Seattle, Vancouver and Victoria; so the traps and gill netters and trollers can quite easily satisfy the cannery and not move any of them out of Sooke either. Then, there would be more chance for the fishermen; that is all.

*By Mr. MacNeil:*

Q. You spoke about the web. Will you describe from your observations in 1919 what happens in regard to the wire mesh along the lead to the trap? Does that wire mesh become covered with moss in such a way that it becomes a wall through which the fish cannot pass?—A. Yes, sir.

Q. It is our impression the grilse and smaller fish are diverted into the trap. —A. All the fish go into the trap from red snappers to codfish, herring, pilchards, everything goes into the trap; they cannot get away from it. The year I was there—I do not think they had any fertilizing plants at that time—these fish were thrown overboard. Lots of them were thrown over right at the trap and then they stuck in the web and that is why the dogfish all hung around there along the middle of the summer; that is the most of them.

Q. They are preying on the fish?—A. Oh, yes.

Q. That are held there by the trap?—A. Any fish that are caught there. Then, the seals come along and cut these fish up to beat the band, and that is why they have a watchman right out there. Of course, at night time you cannot see, but you can hear him splashing around and tearing them. In the morning you will see a big salmon with sides torn wide open. As soon as the fellow gets out there he will shoot that seal.

Q. What species of fish did you say were thrown away?—A. There were herrings and pilchards galore and rock cod flicked overboard and little jacks, spring salmon, no use for them, they were all thrown overboard.

Q. When do they do that?—A. Just shortly after they are landed in the boat; they do not live very long.

Q. They do not?—A. They take the whole works out together with a big hoop about six feet around and a stick about ten feet long with this heavy web, practically the same as the pot and the spiller with rings in the bottom, with a chain in there with a drawstring in which there is a rope running through the ring up to the boom; there is a man here, a big fellow, and a man with a rope over there, and you shove this down in the pot, in the spiller and it is pulled along over there until this sack is about full, and up she comes, and you hang onto this chain and this sack is right over the hold of the boat and you let loose your chain, and swish, down comes the salmon in your boat with everything.

*By Mr. MacNeil:*

Q. It was stated by one witness, Mr. Coverdale, that the young salmon, the jack salmon, you call them the grilse, sometimes called sea-trout—A. Yes.

Q. —did not move in the same direction as the sockeye or the springs. Is it not true that the young salmon follow the same movement?—A. Certainly, certainly.

Q. And they are caught in the web?—A. Oh, yes.

Q. And sorted out and thrown overboard.—A. They are. You take all you want to take home. You take them and string them up.

Q. How about the catch of ling, cod?—A. I think out there they put them now to one side and take them to the fresh fish market.

*By Mr. Taylor:*

Q. I suppose the same thing applies to the purse seines, does it not?—A. They catch everything too.

Q. They catch everything?—A. That is in front of them, yes.

*By Mr. Reid:*

Q. In 1919 when you worked there was there any purse seining or gill-netting in the area?—A. Yes, sir.

[Mr. J. A. Coverdale.]

Q. Did they belong to the cannery or to outsiders?—A. There were, I would say, a few outsiders, but most of them belonged around the cannery there. There were some Indians came from Nitinat in there in the fall. They caught a big load of cohoes and the cannery paid 20 cents apiece for them, and at that time a fellow named Willie Jones came up there with a little purse seine, was not allowed to, but he did a little purse seining around there.

*By Mr. MacNeil:*

Q. It was said by a previous witness that it was impossible to gill net or purse seine in these waters because of the phosphorescence there. What do you say about that?—A. Well, in the daytime that would not cause any trouble in purse seining, but at night time it would cause trouble with a gill net; but you find that at times in most all waters; not any more than any other place. You have it right in Port Alberni, but they handle lots of gill nets there, and some nights it is just like a wall of fire, they have to pull them and go home.

*By Mr. Reid:*

Q. It is not there all the time?—A. No, sir.

*By Mr. MacNeil:*

Q. That happens all through the coastal waters of British Columbia?—A. Yes.

Q. According to the condition of the tides and the water?—A. Yes.

*By Mr. Taylor:*

Q. But in some places far more than others?—A. Not to my knowledge.

*By Mr. MacNeil:*

Q. As a matter of fact it happens often in swiftly moving waters.—A. Certainly, it would be in swifter waters.

Q. Traps are not in swift waters.—A. They are in slack waters.

Q. Therefore the phosphorus trouble would be more evident.—A. Well, in gill netting you are drifting; you are not just staying there like a trap. You are drifting, so you get out where there is a little tide.

Q. I gathered from what the witness said a short time ago, Mr. Chairman, that the traps do catch a lot of fish.—A. Yes, sir.

Q. A considerable percentage of the fish.—A. Well, I do not think that one gets by that ever hits that lead.

Q. According to the figures submitted this morning by the department for the years that I have looked over the percentage caught at Sooke is very small. The highest appears to be in 1919—that is the year you were in charge of the trap; maybe that is the reason why they caught so many that year. You were on the trap there?—A. Yes, sir.

Mr. REID: Sockeyes.

Mr. MACNICOL: The same applies all along the line. In the year previous they caught 6.2 per cent. It varies from 6.2 per cent to 1.4. 1.4 per cent is an insignificant catch.

The WITNESS: I could not hardly believe that. I could not believe that they caught only two per cent.

Mr. REID: Mr. MacNicol, you will notice that it is given as the percentage of sockeye caught in the traps as against the catch in the Fraser river; whereas the percentage of the others is the percentage over the whole of British Columbia. An entirely different thing altogether.



Mr. MACNICOL: Exactly.

The WITNESS: If the Sooke traps only caught two per cent, according to the rest of them they would never want for sockeye salmon.

Mr. MACNICOL: The Sooke traps only catch two per cent of the whole catch.

Mr. MACNEIL: Of British Columbia.

Mr. MACNICOL: The whole catch of fish marketed in British Columbia.

The WITNESS: I hardly think that. That one trap in particular at Sooke is an extra special sockeye trap; it is a Gordon trap.

Mr. MACNICOL: Two per cent of the whole catch.

Mr. NEILL: No, sockeye, a totally different thing.

Mr. MACNICOL: The catch of sockeye salmon from runs to Fraser river. Then, it gives the percentage, and it ranges from 1·6 to 6·2 which is the highest.

Mr. MACNEIL: In addition to that the traps also catch cohoes, springs, pinks and chums.

Mr. NEILL: Yes.

Mr. FOUND: It is the combined catch of the Fraser river and the traps.

The WITNESS: They also take the dogs, and the pilchards come along and fill up the traps.

The CHAIRMAN: They were thrown away.

The WITNESS: Yes, sir.

*By Mr. MacNicol:*

Q. If this committee consents to the elimination of the traps at Sooke what would you suggest doing with the village?—A. It would be right there and more added to it, as there would be more fishermen come there and there would be more chance for them.

Q. At Sooke?—A. Yes, and all those that are there who are actually working to-day would be on seines and gill nets and trolling boats, and would be living right at home and keeping their home fires burning.

*By Mr. Moyer:*

Q. You mean they would catch more fish by those methods?—A. Yes, sir.

Q. If the traps were abolished?—A. Yes, and there would be more fishermen there.

*By Mr. Kinley:*

Q. You think it would increase employment?—A. Yes, sir, the B.C. fishermen would be at Sooke if these traps were out of there.

*By Mr. Moyer:*

Q. You think more fish would be caught in these waters?—A. Yes, sir, as there is quite a bunch of fishermen right now on relief who cannot make a living.

*By Mr. Cameron:*

Q. Do you think that the fishermen now at Sooke would do as well at purse seining and gill netting as they are now doing with the traps?—A. You have got to take a chance on that wherever you go; but I think they would because they are just paid a salary of about \$75 or \$80 a month and I do not think they would have much trouble making that there.

*By Mr. Reid:*

Q. Do they work all year round?—A. No.

[Mr. J. A. Coverdale.]

*By Mr. Cameron:*

Q. You think in addition to that more fishermen will be employed?—A. Yes.

Mr. MacNICOL: We have had petitions from fishermen at Sooke and apparently everybody that has any organization in Sooke asks this committee to maintain these traps in Sooke.

The WITNESS: For the one reason that they have worked on the traps all their lives, and just like anything else if I lose my job here where am I going. I have got to start all over new as this is going to be new fishing to me, but not to some of them. Some of them are old fishermen there, and they will soon pick it up.

*By Mr. Kinley:*

Q. Do you know anything about the wages paid to the fishermen at this point?—A. At Sooke?

Q. Yes?—A. I do not know what they pay now, but they paid \$80, \$85, \$90 when I was there.

Q. How many months were they employed?—A. About eight months, seven and eight months, some nine months of the year.

Q. What would they average, about \$600 a year? I think that is what Mr. Goodrich said.

Mr. MOYER: And board, he said.

The WITNESS: Yes, and board; they are boarded there.

*By Mr. MacNicol:*

Q. And lodging?—A. Yes.

Q. Don't you sleep at home when you live right there?—A. But you are out on the traps. When you live on the traps there you are away from home then.

Q. They have little tents?—A. No, they got a little house built upon the traps and then they have a shack on shore in that place now; but when I was there at Boulder Beach they could not get ashore, so they lived aboard the seine boat, the *Bertha L*, and the two men who watched the trap stayed right there in the boat tied up to the trap.

*By Mr. Kinley:*

Q. What does the average fisherman who has no trap, but a gill net, make in a season in British Columbia?—A. I could not answer that question. Mr. Miller will answer that.

Q. Do you think he makes more than these fishermen make at Sooke?—A. Some might and some might not; I could not say about that.

*By Mr. MacNicol:*

Q. If the Sooke traps were abolished the amount of fish they catch would be distributed over all the fishermen, and it would make a very small item, would it not?—A. Well, there would be a lot of fishermen right there trying to get some of them just the same.

Q. The fishermen would come from the Fraser river to Sooke and settle there?—A. Yes.

Q. And they would catch less in the Fraser river?—A. They would be catching them just the same wherever it is.

*By Mr. MacNeil:*

Q. It is reported by the department that the Canadian percentage of the catch in the Fraser river was larger this year because of a larger movement of

fish around the northern end of Vancouver Island. You live at Alberni. Are you able to give any evidence on that point as to whether or not it is so?—A. I do not think so. I do not think they went around the upper end of the island as I understood some of the fishermen from Kyuquot say there was a very poor season up there; if the fish went around that way it ought to be a pretty good season.

*By Hon. Mr. Michaud:*

Q. Are you speaking of all kinds of salmon or just sockeye?—A. All kinds of salmon.

Q. But sockeye would be more plentiful on the north shore?—A. I cannot answer that.

Q. You do not know?—A. No.

*By the Chairman:*

Q. As far as you know, the general opinion of all the associations that you represent here to-day is opposed to these traps?—A. Absolutely.

*By Mr. MacNicol:*

Q. Are they particularly opposed to the Sooke traps?—A. Any company's traps.

Q. All traps?—A. Yes; because it has certainly taken their livelihood away.

Q. According to the evidence the amount the Sooke traps take is so insignificant at the present time?—A. I think if you take these traps away from them in a couple of years you would not hear so much about people being on relief.

*By Mr. Taylor:*

Q. Would the gill netters go out with the purse-seiners?—A. They fish together.

Q. Are you quite sure? Is the purse-seiner a help to the gill netter?—A. No.

Q. And is the gill netter a help to the purse-seiner?—A. No.

Q. All right. Do they love each other?—A. They are not—

Q. Is there not the same feeling between the gill netter and the purse-seiner as there is between both of them and the trap?—A. I do not feel that I would feel sore at you because you were fishing with a gill net when I could get my share and I can take fish away from you if I wanted to.

Q. Are the fishermen sore at the traps?—A. Certainly, because they are gathering them all.

*By Mr. MacNeil:*

Q. Is it not true that the gill netters' and purse-seiners' organizations have recently united into one organization to some extent?—A. To my knowledge they have, yes. I never saw many of them fighting when they are out together. They tie up together and fish back and forth.

*By Mr. Kinley:*

Q. Just friendly rivalry?—A. They are not so opposed to one another when they tie up alongside one another and fish. Of course, the gill netters cannot go where the purse-seiners go. He has to go in where he can handle his net. The purse-seiner can go out most anywhere.

*By Mr. MacNeil:*

Q. Is it not true that purse-seiners are restricted to fishing in certain areas?—A. Yes, take at Nitinat, you do not have many gill netters out there.

[Mr. J. A. Coverdale.]



*By Mr. MacNicol:*

Q. Which body would be allowed at Sooke—the purse-seiners or the gill netters—supposing the traps were abolished?—A. They would all be allowed there. They would certainly have no restriction there, because the seiner and gill netter could catch fish there.

*By Hon. Mr. Michaud:*

Q. Do they catch fish in the same places in other sections of the island? Do they fish in the same place in other places?—A. Yes. Barkley Sound, Ucluelet, Bamfield, Rainy Bay, Nitinat, Clayquot Sound.

*By Mr. Pottier:*

Q. What is to prevent the gill netter from setting his gill net in between these two miles—the traps are two miles apart?—A. You do not find the eddies in there.

Mr. NEILL: It is only 800 yards.

Mr. POTTIER: There are five traps in ten miles. They are distributed over a distance of ten miles.

The WITNESS: Here is the water running in and out here, rocky points, and there is no room to get in here. The trap is situated in a pretty nice place, so they would have room to work in here if that was out of here and this little jagged place between the two traps.

*By Mr. Pottier:*

Q. Are the traps two miles apart? You were there in 1919?—A. Yes.

Q. Why would not the gill netter go in those two miles, if you can gill net in that area? I cannot understand that.—A. You see there is only a little piece along here, and it blows very hard here between those two miles you are talking about, and a gill netter could not work here at all. Down further he has a nice drift along here, but there are jagged points sticking out here. I would not think it would be a good place between those traps.

Mr. KINLEY: It all depends on whether the traps are equally distant apart.

The WITNESS: They are not.

Mr. KINLEY: Is the distance measured on the shore line, Mr. Found? Is the distance between these traps measured on the shore line or by water?

Mr. FOUND: The regulations provide for a minimum distance between the traps.

Mr. KINLEY: How do you measure that distance?

Mr. FOUND: It is between the traps.

Mr. KINLEY: There might be two capes and a big shore line.

Mr. FOUND: The regulations provide 400 fathoms distance from the nearest adjacent trap, and where there is conflict as to whether it is too near we measure actually between the traps. There must be that distance between the traps.

*By Mr. Taylor:*

Q. I would like to clear up one matter that is in my mind. It has been definitely stated that these traps are placed in positions where the waters are quiet; that is to say, where they are relatively eddyless, and the heavy streams lie outside of the traps. Now, these traps are, apparently, placed for the most part in the shallow bays. Sooke Bay is a rather deeper bay than the others. Now, in a shallow bay you are not likely to have eddies?—A. You are not? How much water have you got in Sooke Bay?

Q. Sooke Bay is a deep bay comparatively when compared with the others in which traps are placed?—A. You have 100 feet of water in Sooke Bay.

Q. All right. In Sooke Bay they have not been able to place traps; they have been carried out by the current?—A. Yes.

Q. All right: If in the deep bays the current is sufficiently strong to wipe out the traps, where is the strength of your arguments that in these bays—especially in the shallow bays where the traps are placed—there are only eddies?—A. Now, Sooke Bay you are talking about. I just do not place that.

Q. Look at the map?—A. Sooke Point. There is a trap in there—a spring salmon trap just around the point. There is a short trap in there—about six or seven hundred feet of a lead in there, and that is pretty deep water, and there is a very swift current runs around that point. On down farther there is the Sooke trap called the Gordon trap—Mr. Todd's trap.

Q. That is in Gordon Bay?—A. Sooke Bay must be where this short trap is, around the point.

Q. Sooke Bay is farther east than the Gordon trap?—A. You look from this trap down to the Gordon trap, there is nothing in between. You go around the point at Sooke, you set your house upon the bank, and here is your short trap, a very good spring salmon trap, and the water is very deep right here, and very swift water comes up here, and you go on down and here is the Gordon trap—about 2,800 feet of lead runs out to the swift water. She is in and out of it. There is a big bay. Is that what you would call Sooke Bay?

Q. Yes, Sooke Bay. I do not mean that inland water?—A. On down below at Muir creek they had the trap. It is pretty hard to get your piles down, as it is rocky there, something like Boulder Beach, and they only drove Boulder Beach, I understand one season. But the Muir creek trap—I know they had one there as they had to put lots of brace piles in, and they had trouble during the season trying to hold the lead.

Q. I still find difficulty in understanding your statement regarding the waters in these bays and around the traps being slack water—at least not violent water such as you find outside of the area of the traps?—A. You could not figure anything else when a point is sticking out. The tide is going to run swiftly around this. Do you think not? And here is a bay right in here. Won't the tide be slackened here and rising up here?

Q. When I say shallow bay I mean shallow in depth. I see we have been at cross-ideas?—A. Yes.

Q. No. I mean a gentle sweep. No eddy would develop in a gentle shore sweep; but if it is a deep sweep, if the bay runs far into the land, then it is different. In Sooke Bay they have not been able to place a trap because of the swiftness of the currents?—A. I do not understand how at Sooke Bay—just around the point they call that the Sooke trap, and on down here is the Gordon trap—that is Mr. Todd's trap—that is the good sockeye trap—and then you come down around the lighthouse to Sheringham Point—that is where Mr. Sims got drowned—below that is the trap—and there is a bay goes back in there. Then comes Cold Creek. Mr. Todd had a trap in there. I do not say whether he has or not now. On below that was Boulder Beach, but I do not think they had great difficulty in getting that in, and they did not get the trap quite out here, as you could stand on the trap and see the fish pass—they did not get it out far enough, and that is shallow water—65-foot water. That is below Jordan river and Sooke Bay. I do not think they ever had any traps in there.

Q. I have a rather good map which I shall bring to the next meeting.

*By Mr. MacNicol:*

Q. They did not have in 1919 anyway?—A. No. There were eight traps in 1919. Todd had four and Sooke Harbour Fishing & Packing Company had four. That is the year they drove Boulder Beach, but I do not think they ever drove that since.

*By Mr. Moyer:*

Q. Do you know how many traps have been in operation this last season?—A. No, I cannot answer that.

[Mr. J. A. Coverdale.]

*By Mr. Neill:*

Q. You said that you fished by both gill net and seine in those waters in 1919?—A. Not at the Sooke area, no, sir—just the gill net.

Q. Your own net?—A. Yes, sir.

Q. What did you do with your fish?—A. Sold them to the Sooke Harbour Fishing & Packing Company. They had plenty of gill nets there. They come in bales about this square, and I rather think the fishermen and Indians had their own lines, and they sold them the web—the Sooke Harbour Fishing & Packing Company.

Q. Was there any condition attached that they should deliver the fish to the cannery?—A. Yes. Yes, they bought them—\$75, if I am not mistaken, and then they paid it back into the company.

Q. You must be careful, because Mr. Goodrich swore it was not possible to gill net there. What have you to say to that?—A. Well, I did anyway, and a good many others, and have sold gill nets to the fishermen at Sooke.

Q. Now, Mr. Coverdale, a good deal of comment has been made that your knowledge of the situation dates back to 1919. I would like to ask you this question, and you are on oath: would you think that the habits of the fish and the currents of the water in that neighbourhood would change?—A. No, sir.

Q. You would think they would be about the same?—A. Yes, I would.

Q. Comment has been made about these traps. I suppose it is human nature, and I would like to get your knowledge on the matter because you seem to have a good deal of local knowledge—I do not want to put the words into your mouth, but is it not a fact—I will put it in this way: the statement has been made in this committee that these people naturally grab the best trap sites. What is your opinion based upon your local knowledge? If I wanted to go in and get a trap site to-morrow, would there be any chance of my getting a good one?—A. No. No chance at all.

Q. And the same would apply, more or less to the seines, I suppose—to opportunities for seining?—A. Certainly.

Q. You have seen gill netting there; have you ever seen trolling there?—A. Yes. In the fall there are lots of Indians and white men go up in the coho season.

*By Mr. MacNicol:*

Q. But you have not been there since 1919; how do you know?—A. That is when I was there.

Q. And you were there one fall?—A. Yes. They came up there.

*By Mr. Neill:*

Q. Again the question arises: if they trolled in 1919 they could probably troll now, could they not?—A. I think so. There are fellows from Alberni who come around there, I have heard, trolling on the east coast—after they are through over here they go on the east coast.

*By Mr. MacNicol:*

Q. That would be the south coast, would it not?—A. No. They come in around Nanaimo and up that way.

*By Mr. Neill:*

Q. What about seining? Did you ever see seining in those waters?—A. Yes, I saw it in that fall. Bill Jones was seining there.

Q. With seine nets?—A. Yes.

Q. Would they sell to the Sooke Harbour Fishing & Packing Company?—A. Yes, they took them right in there; they took them all.



*By Mr. Kinley:*

Q. Is there any local jealousy among the fishermen where non-residents come and fish? On our coast they do not like the lobster fishermen to go from one district to another?—A. I think there is a little bit.

*By Mr. Neill:*

Q. I suppose fishermen are human like everybody else?—A. Just the same.

Q. They are subject to the same elements of mind that lawyers have. You dealt with phosphorus. It does not stop trolling, does it?—A. No, sir.

Q. Because they troll in the daytime. The same is true of the purse-seiners, is it not?—A. Yes.

Q. The phosphorus business, even if it were bad would apply only to gill netting?—A. There are times you find that in any water pretty much. Just you come up against a wall and you might as well pull your net and go home.

*By Mr. Kinley:*

Q. I understood you could not gill net in clear water; that you have to have muddy water for gill netting. Is there nothing in that?—A. No. I do not think so. That is—

Q. What is the reason for the belief that gill netting in muddy water is an advantage? Have you heard of it?—A. I know some of them dye their nets, but I think that is a kind of preservation.

*By Mr. Neill:*

Q. Do you know this man Martinvolch?—A. I do not know.

*By Mr. Moyer:*

Q. Where is he from?—A. Is he from the Fraser river—Westminster?

*By Mr. Neill:*

Q. I think he comes from Vancouver.—A. It seems to me I met him too. He has a couple of seine boats—big boats.

Q. Yes.—A. Yes. I thought I know the name. He has got two big boats.

Q. He has the reputation of being a good seiner.—A. Yes. I thought it was him. He lives in north Vancouver.

Q. I wanted to bring out a point. Is it not the custom of springs, particularly, more than any other class of fish when they are proceeding in a given direction to hug the shore?—A. Yes.

Q. And these traps stick out at these strategic points and the salmon go into the traps.—A. Absolutely. That is why the Otter Point trap and the Sooke trap is an exceptionally good trap, they are just right close to the point where the water whips around here and they follow the shore right around, and they are very deep traps. There is 110 feet of water at the Beachy trap, but it is only about 600 or 700 feet—that is, in the same way at the Otter Point trap. Those are two exceptional spring traps.

*By Mr. Moyer:*

Q. You say they follow the shore. How far out from the shore do they run?—A. It is not very far there because the leads are not very—I do not think—between 600 and 700 feet.

Q. How do you know what fish go out past the end of the lead—pass the trap?—A. I do not know how many pass, but I do not think there are very many as the water is so swift out here. They are working hard for quite a way and they hit this eddy and they come in and rest, and they ride into the trap.

*By Mr. MacNicol:*

Q. 98 per cent must pass by since the Sooke traps catch only 2 per cent?—A. I would not think that.

[Mr. J. A. Coverdale.]

Mr. NEILL: Mr. MacNicol is still obsessed with that idea that the Sooke traps take 2 per cent of the sockeye salmon, but that is not so. It is alleged to be. It was 5 in 1935. Anyway it is 2 per cent not of the sockeye caught in British Columbia but 2 per cent of the entire catch of the Fraser river fishing and the American boats. Apparently, it is 2 per cent of that number.

Hon. Mr. MICHAUD: No. The fish passing through those waters.

Mr. NEILL: Your own man said that.

Hon. Mr. MICHAUD: You are discussing the statement—

Mr. NEILL: Major Motherwell said it was 5 per cent in his report, and Dr. Found—

Mr. MOYER: In one year.

Mr. NEILL: Anyway it is 5 per cent of the total catch on the American side and on our side.

Hon. Mr. MICHAUD: Major Motherwell reported for 1935 4.7 per cent.

Mr. NEILL: That is near 5 so we will not quarrel. It is based on the total aggregate catch of the American traps and ours as well; it is not of B.C. sockeye.

Mr. TAYLOR: As a matter of fact, in 1936 it was 1.6.

Mr. REID: I would like to ask Dr. Found a question because Mr. MacNicol and I do not agree with these percentages. According to the statement I have here the way I interpret it—and if I am wrong Dr. Found will correct me—the statement is given on sheet 2 of the pack of sockeye salmon from runs on the Fraser river—that is all the sockeye salmon coming up into Puget Sound—and the percentage of the Sooke traps is given from their low point of one point something up to 5 per cent of the sockeye salmon going to the Fraser river.

Mr. MACNICOL: That is the way I understand it.

Mr. REID: Now, the total catch of sockeye from British Columbia equals 50,000,000 fish—

Mr. FOUND: No, no.

Mr. REID: I am taking the total of the whole of British Columbia. If you look at the last page you will find that their sockeye salmon, the total for the year 1936 was 4,606,701.

Hon. Mr. MICHAUD: 4,000,000 not 50,000,000.

Mr. REID: 4,000,000 cases.

Hon. Mr. MICHAUD: No.

Mr. FOUND: These are worked back to fish; that is the number of different species of salmon.

Mr. REID: Perhaps I am wrong regarding that 50,000,000 figure. I take it that what you give on the second page is the percentage of fish caught by the Sooke traps on all the sockeye coming to Puget Sound. One would then have to take the total sockeye caught in British Columbia to find out the proportion of the fish caught in the Sooke traps as it related to the total British Columbia catch, because on page 1 you gave the number of spring salmon caught in 1935 in the Sooke traps as 19,810, and then you give the total B.C. catch, and if one is to make a proper comparison as against the percentage of sockeye he would have to only take the run of the spring salmon in the Puget Sound to compare it favourably. My argument is that the two statements are not exactly comparable and not a fair comparison, because on page 1 you are giving the catch at Sooke as compared with the whole British Columbia catch whereas in the case of page 2 it is the pack of sockeye salmon caught by the Sooke trap in comparison with the Puget run only.

Mr. MACNEIL: Which includes the American catch and does not include the total British Columbia catch.

Mr. MACNICOL: On page 1 you get the total.

Mr. REID: For the whole of the province.

Mr. MACNICOL: It shows in 1935 that the Sooke traps caught 546,287 of all kinds of fish—sockeye, springs, bluebacks, steel heads, cohoes, pinks and chums. I do not see dogs anywhere, so we will let the dogs go. The total B.C. catch in 1935 was 21,685,299 from which you will see that the Sooke traps catch is a very small item of the whole.

Mr. HANSON: Let me correct Mr. MacNicol on that. It says that 546,287 were caught by the Sooke traps in 1935. Now, you must keep in mind that the witness stated that they employ from 41 to 48 men. If you take the comparison of 41 to 48 men and remember that they caught over half a million salmon and take the rest of the catch and divide it among the fishing population in British Columbia you must come to the conclusion that they are getting very very cheap fish, because that means practically 11,000 fish to the man, and if they were getting \$400 or \$500 a year they would get about 4 cents apiece. Spring salmon run all the way from 7 cents to 9 cents a pound, and I never heard of sockeye selling for less than 40 cents—40, 50 or 60 cents. The only comparison we can come to is 2 per cent. I am not arguing about the 2 per cent, but from 41 to 48 men catch over one half a million fish.

Hon. Mr. MICHAUD: What is the conclusion you draw from that?

Mr. HANSON: There is no objection, Mr. Minister, except we can plainly see that if these traps were not there, in order to catch that many more fish they would employ so many more men.

Hon. Mr. MICHAUD: That is your argument.

Mr. HANSON: And the fishermen would get more for their fish, and consequently would have more purchasing power.

Mr. MACNICOL: If Sooke did not catch them the great majority of the sockeye catch would be made by the Americans.

Mr. HANSON: Oh, no.

Hon. Mr. MICHAUD: At the same time, we have to assume from the evidence we have heard so far that the people who catch those fish are perfectly satisfied with their lot.

Mr. NEILL: Have the Goodrich people got their licence for this year?

Mr. FOUND: No.

Mr. NEILL: Why are they actively engaged at the present time in erecting their traps?

Mr. FOUND: Ask them.

Mr. MACNEIL: Can they erect them in those waters without permission from the department?

Mr. MOYER: What evidence have you that they are erecting their traps?

Mr. NEILL: I will ask you.

Mr. MOYER: You, apparently, have some information.

Hon. Mr. MICHAUD: They do not get a licence from us to build traps.

Mr. KENNEDY: To place them.

Hon. Mr. MICHAUD: They get a licence to fish from the department. They get a licence or a lease for the foreshore—

Mr. NEILL: Would they spend that money to put their traps in order if they did not think they were going to get a licence?

Mr. MACNEIL: They purchased the piles this year and were commencing to drive the piles, Mr. Goodrich said.

Mr. CAMERON: They are taking a chance, I suppose.

The CHAIRMAN: I think it is generally agreed that we will meet to-morrow morning at 11 o'clock.

The committee adjourned at 1.05 p.m. to meet on Thursday, March 11, at 11 o'clock.



ayasa, Marine and Fisheries Committee on, 1937

CA 1 X 17

-M12

SESSION 1937

HOUSE OF COMMONS

STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 9

THURSDAY, MARCH 11, 1937

## WITNESSES:

Mr. J. A. Coverdale, Port Alberni, B.C., and Mr. George Miller, Vancouver, B.C., representing eight fishermen's organizations of British Columbia.

OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1937



## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS COMMITTEE ROOM 268,

THURSDAY, March 11, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock a.m. this day, the Chairman, Mr. MacLean (*Prince*), presided. Members of the committee present, *Messieurs*: Cameron (*Cape Breton North-Victoria*), Gauthier, Green, Hanson, Hill, MacLean (*Prince*), MacNeil, MacNicol, McDonald (*Souris*), Michaud, Neill, Pottier, Reid, Stirling, Taylor (*Nanaimo*), Telford, Tolmie, Tomlinson, Tustin, Veniot and Ward.—21.

*Present as Witnesses*: Mr. George Miller, of Vancouver, B.C., and Mr. J. A. Coverdale, of Port Alberni, B.C., accredited to represent eight fishermen's organizations of British Columbia, before the Committee.

*Also present*: Mr. L. Clare Moyer, K.C., Barrister, Ottawa, counsel representing the Sooke Fishing and Packing Company, Limited, Sooke Harbour, B.C. Dr. Wm. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

The Chairman read into the record a telegram signed by M. E. Guest, representing United Fishermen's Union Local 44, and another signed by J. Duns, secretary, Fishing Vessels Owners Association of B.C.; also a telegram addressed to Mr. Neill and signed by Charley Clark and Norman Gunderson, respecting fishing conditions for seiners in the Sooke area, if opportunity was provided to operate there.

Mr. J. A. Coverdale recalled, and his examination resumed. The witness had prepared a map diagram of the type of fish trap used when he was in the employ of the Sooke Harbour Fishing and Packing Company Limited in 1919, and with which he had had experience, and used this diagram to explain to the Committee certain descriptions and statements he had given at the previous meeting without the aid of such a diagram to make explanation clear.

The Witness retired.

Mr. George Miller called and sworn.

The witness made a statement at some length in respect to his credentials to appear before the Committee, following which he was questioned by different members of the Committee.

An article was read into the record by the witness, taken from The Pacific Coast News, respecting a resolution forwarded to the Minister of Fisheries, and signed by Mr. M. E. Guest, the sender of the telegram sent to the Chairman of the Committee and read into the record of this day.

The examination continued to nearly one o'clock.

Mr. Cameron (*Cape Breton North-Victoria*) made a motion to pay the living expenses, outside of the transportation and berths already provided through instruction to the Canadian National Railways, from Vancouver to Ottawa and return to Vancouver, and during attendance on the Committee as witnesses.

It was decided to allow the motion to remain in abeyance until the next meeting.

The witness retired pending the next meeting, which, after discussion, was decided to be held to-morrow—Friday—at 11 o'clock a.m.

By general consent the Committee adjourned.

E. L. MORRIS,  
*Clerk of the Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS, ROOM 268,

March 11, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock, a.m., this day. Mr. MacLean (Prince), Chairman, presided.

The CHAIRMAN: Gentlemen, I think we have a quorum now. Would you please come to order. What is the wish of the committee this morning? Do you want to continue with the same witness you had yesterday?

Mr. NEILL: Yes, I think so.

Mr. MACNICOL: There is not much use in calling the same witness we had yesterday, is there, Mr. Chairman?

Mr. NEILL: There is a wire there which I would like to put in.

The CHAIRMAN: Gentlemen, there are two or three wires that have come in this morning. We will put them on the record before we call the witness. The first one reads as follows:—

VANCOUVER, March 10.

A. W. NEILL, M.P.,  
House of Commons, Ottawa.

We did not make a statement as indicated by Mr. Goodrich testifying before Fisheries Committee February 22 STOP The Sooke area provides excellent fishing grounds for seiners and we believe area could be made profitable for seining.

CHARLEY CLARK.

NORMAN GUNDERSON.

Mr. MACNICOL: I would like to ask somebody about that, merely for information—if the Sooke area could be made profitable for seining, in view of the fact that only 2 per cent of the fish are caught there.

Mr. TOMLINSON: Sock-eye.

Mr. MACNICOL: Yes, sock-eye, and others, too. I was saying that in view of the fact that only 2 per cent of the fish are caught there by Canadians—and if the traps were not there, they would go over to the American side, outside of what might be caught by seiners—I cannot see how it would be worthwhile for anybody to go there and fish at all, for the small percentage they would catch. Surely, it would hardly pay to come all the way from the Fraser River and catch a few fish there by seining or trolling when the traps only catch so few.

The CHAIRMAN: Well, we will call the witness in a few minutes. There are a couple of telegrams here that I myself received this morning which I want to read. The first one is as follows:—

VANCOUVER, March 10, 1937.

The CHAIRMAN,  
Select Standing Committee on Fisheries,  
House of Commons, Ottawa.

With reference to the present hearing before your committee in respect to the use of certain types of fishing gear in British Columbia waters we wish to go on record at this time that the witnesses now appearing before you namely Messrs. Miller and Coverdale do not represent our

organization and consequently are not in a position to speak on behalf of the entire fishermen of British Columbia STOP In as much as we understand there is an early possibility of final ratification of the Fraser River sock-eye treaty we strongly urge that status quo in the industry be maintained until such time as the commission appointed under the treaty is prepared to make recommendations as to the types of gear and methods of fishing which will be most effective in rehabilitating the sock-eye salmon run to the Fraser River.

Mr. NEILL: Who is that signed by?

The CHAIRMAN: That is signed by the Fishing Vessels Owners Association of British Columbia, J. Duns, Secretary.

Mr. HANSON: That is a deep sea outfit, I think—halibut fishing, is it not?

Mr. NEILL: Yes.

The CHAIRMAN: It does not say whether they are salmon fishermen.

Mr. HANSON: In fact, it is not a fishermen's association at all. It is a vessel owners' association.

The CHAIRMAN: It is the Fishing Vessels Owners Association it is signed by. I have another telegram here which I will also put on the record.

VANCOUVER, B.C., March 10, 1937.

CHAIRMAN, Fisheries Committee,  
House of Commons, Ottawa, Ont.

Recognizing that the Minister of Fisheries and Department Staff British Columbia Branch have full knowledge of fishing gear employed in British Columbia waters and considering the paramount importance of preserving present basis of operations in every aspect of industry for four-year period necessary for sock-eye treaty commissions purpose in arriving at adequate and equitable recommendations aimed firstly at rehabilitating sock-eye run to Fraser River we have refrained from making any specific representations to your committee on the trap question STOP Delegates Miller and Coverdale do not represent this organization or bear credentials from us STOP We respectfully recommend that no changes in gear or methods of salmon fishing be made until recommended by the international sockeye salmon treaty commission which we urge be established with least delay possible.

UNITED FISHERMEN'S UNION, LOCAL 44,

M. E. GUEST, *Representative.*

Mr. HANSON: Who is that signed by?

The CHAIRMAN: That is signed by the United Fishermen's Union, Local 44, M. E. Guest, representative.

Mr. TAYLOR: That is a very constructive telegram.

The CHAIRMAN: I would take it that both refer to a commission; but this last telegram apparently states that that commission has not yet been appointed. It is only contemplated.

Mr. Neill, did you say you wished to have Mr. Coverdale for a few minutes?

Mr. NEILL: Yes.



JAMES COVERDALE, re-called.

*By Mr. Neill:*

Q. I only want to ask Mr. Coverdale one or two questions—and then I am through as far as I know, about these buildings at Sooke. What are they used for in connection with the traps—the company's buildings?—A. They use them for making up web, and I understand they have taken the gear out of the cannery and are using it also. But they were not using the cannery when I was there; they were running it.

Q. They are using it for making up the web?—A. Yes.

Q. That does not require a very elaborate building, does it?—A. No. It is a long building—single boards.

Q. Is it single boards?—A. Yes.

Q. Is it lined inside?—A. No. It has strips on the outside.

*By Mr. Moyer:*

Q. You are speaking of when you were there 19 years ago?—A. In 1919, yes.

Q. Eighteen years ago?

*By Mr. Neill:*

Q. As a matter of fact, you do not need a very elaborate building; just a shed is sufficient, to fix up the web?—A. To keep the rain out.

Q. As long as it keeps the rain out?—A. And the sun.

Q. Did you know, when you were working there a man named Wilson?—A. Yes.

Q. He is the fisheries guardian—at least he was, and I suppose he is. Mr. Gooderich referred to him as a returned man and a cripple. Do you know the nature of the crippling or what caused it?—A. He got crippled through his sweater; he was engineer on the Hillside number 1 and as he was starting up the engine his sweater got caught in the key of the fly wheel and wound him up and put him in the hospital for a long time.

Q. It was not his war service that crippled him?—A. Not to my knowledge.

MR. MOYER: Mr. Goodrich did not make any such statement. He said he was a returned soldier and a cripple; that is all.

MR. NEILL: I just wanted to bring out the fact that the crippling was not due to war service. That is all.

*By Hon. Mr. Michaud:*

Q. Did the accident to Mr. Wilson, of which you speak, happen while you were working there?—A. No, after.

Q. What you say is what you heard from other people?—A. Yes.

*By Mr. Moyer:*

Q. While you were working there, Mr. Coverdale, was the cannery operating?—A. Yes.

Q. Who was the manager of the cannery or the foreman of the cannery at that time?—A. I could not tell you. He is a fellow, I think, from the American side.

Q. I am told his name was Stoneson. Do you remember that?—A. I do not know the man's name at all.

*By the Chairman:*

Q. There is one question I would like to ask the witness before he leaves the stand, and I think it is a very important one, in connection with a statement that he made yesterday regarding this gate not being closed. I see we

have a new outline of a trap here, something different from what we had yesterday. If that was the general practice, that the regulations were not carried out at the time you were working there, we would like to know from some of the witnesses or some of the officials if that practice has been checked or if it is still allowed to be carried on where the gate is not completely closed. Could you give any more information regarding that?—A. Nothing more than I never did see the apron clear down; because when you unroll it, there is no more rolls on the pole that it is rolled on.

Q. They let down all they had, but still it was not enough to close it completely?—A. No. They had enough there. There was enough there. I never seen all this unrolled.

*By Mr. Tomlinson:*

Q. Is that the kind of trap that was operated while you were there?—A. Yes.

Q. In 1919?—A. This here (indicating) is your lead and here is where the apron hangs over, and this part inside here is the web that they have to change every so often as it gathers moss, and they have to wash and retar it; so they have to change this and they have to change this (indicating) and here is the lead in here into the spiller. Up here they have not got the ropes on here that hold this. There is a rope that comes across there so that you can only open that so far, and when they go to close it they pull this rope back here; and up here there is planks, pieces two feet long all the way across here, and then planks on here so that you can walk all around here (indicating) and right across here. There is a place to walk over the top. Right here (indicating) is where Mr. Graignic and I counted the fish going into the spiller. This piling here is where the wire is, and the rings in the apron are two feet apart, that slides down this piling.

Q. Did you ever see any fish going in there when that apron was down?—A. Mr. Graignic and I counted 268 going in it one morning when it was supposed to be down.

Mr. FOUND: They were caught before the apron went down.

Mr. TOMLINSON: That is what I want to get at.

*By Mr. Tomlinson:*

Q. Would there be any change of them going in before the apron was down, into that outer chamber?—A. The fish that would be in here (indicating) would, certainly. But when that apron is down, the trap is not fishing, and it is closed over here (indicating) to keep these fish in here from working out in here.

*By Mr. MacNicol:*

Q. What would happen to the fish that were in the outer trap?—A. They are held right there.

*By the Chairman:*

Q. Which of these openings did you say you counted them at?—A. Right here (indicating).

*By Mr. Moyer:*

Q. That is from the spiller to the pot?—A. Yes, go into the spiller.

*By Mr. MacNeil:*

Q. While the apron was supposed to be closed?—A. Yes.

[Mr. J. A. Coverdale.]

Q. Now, why would they not go right back out again, if the apron was only far enough down, or rather was too far down to prevent them from getting in? Why would the fish not turn around and go back out the way they came in?—A. Naturally, when you get a fish fast, he is going to dive. That is the first thing that he does, if he cannot get out.

Q. He would be able to get out if the door leading into the outer trap was not far enough down?—A. He has already gone down right here when he hits this lead (indicating) and as he works himself up—suppose there is sixty feet of water here or a hundred feet of water, there will be sixty feet of wire netting from the bottom, the same as this, coming across here (indicating) and coming up sixty feet, and then this web.

Q. The wire comes up to the bottom, does it?—A. This curtain just unrolls and goes down to meet that wire which will be forty feet down.

Q. I see.—A. If you get lots of fish in here in a week time, not a closed season, you will drop that apron down sixteen or eighteen feet and sometimes more, according to how many you get in there, to hold them in there until the tide turns so you will start fishing again.

*By Mr. Moyer:*

Q. And to keep out any others, according to the regulations?—A. Sir?

Q. To make it impossible for any others to come in, in accordance with the regulations of the department?—A. They can come in underneath that all the time.

Hon. Mr. MICHAUD: They cannot come in and they cannot go out.

The WITNESS: They do not dive any more after they have dived once; they are working at the top of the water, and they are quite thick.

Hon. Mr. MICHAUD: You will have to question the fish about that.

*By Hon. Mr. Stirling:*

Q. Mr. Coverdale, does that represent the trap as you recollect it?—A. That is it, right there.

Q. Where were you standing when you counted the 268 fish?—A. As I say, there is planks all round here (indicating). You can walk right across here, all around here, across here, and right here. We were here (indicating) and here is where they were going in, right in here.

Q. And those fish were, I think you said, twelve feet below the surface?—A. Yes, just about twelve feet down.

Q. How do you mean it is twelve feet down?—A. The apron.

Q. Does that net come up from the bottom to within twelve feet of the surface?—A. Yes. There is the bottom of the net here, and here is your net fast here (indicating). Here is the pieces where the ropes are; they are fastened with cleats all around the trap to hold it from sinking.

Q. Where you were standing, there was a net from the bottom up to within twelve feet of the surface?—A. Yes. Well, it comes up more than that. But this here (indicating) is about twelve feet down where the fish were going in.

*By Mr. Tomlinson:*

Q. Over the top?—A. Going through.

Mr. MACNICOL: Pardon me for interrupting, but in order to have an intelligible record I believe that Mr. Coverdale perhaps should say each time instead of "here" and "here," "at this point, the entrance to the inner trap or the entrance to the outer trap" so that on reading it over anyone may understand it.

The WITNESS: This is the pot (indicating) and this is the spiller.



*By Hon. Mr. Stirling:*

Q. Mr. Coverdale, what is the width of that opening where you stood?

—A. Across here (indicating)?

Q. Yes?—A. About twelve feet.

Q. And what is the width of it at this end of the funnel?—A. That would be approximately fourteen to sixteen inches.

Q. And is there a pile at each end of that funnel?—A. No.

Q. To hold these nets in position?—A. Well, they have not got the ropes across here (indicating). They are tied across here (indicating), and there is a rope across here and passes across here (indicating), and one goes around there (indicating) and goes around that cleat.

Q. What are those two pieces made off?—A. This is webbing, the same as the pot, or part of the pot.

Q. So that they are tied across the mouth, sixteen inches, and then two guy ropes go to the piles, which holds it open?—A. Yes. And with the turn of the tide the watchman—there is a little cabin right here (indicating) where the watchman stays on the trap all the time and sleeps there.

*By Mr. Taylor:*

Q. When that opening into the spiller is closed, how are the wings placed? Do they run straight with the other webbing?—A. This here (indicating).

Q. Yes?—A. When this is closed (indicating).

Q. No, when the opening into the spiller is closed?—A. No. These just lap over so the fish cannot get out.

Q. Is the web that goes all around the pot—does it also go around the opening from the lead into the pot?—A. Not across here (indicating).

Q. Then the opening there is full forty feet in depth?—A. Yes.

Q. How deep is the apron?—A. Forty feet.

Q. And does it rise forty feet into the air when the apron is open?—A. No, it is rolled up.

Q. It is rolled up on a pole?—A. Yes.

Q. And it consists of what—wire netting or what?—A. No. That is webbing, the same as this here (indicating), heavy tarred webbing, and there is rings about two feet apart on each side that slide up and down a galvanized cable.

Q. So that it is possible to place that webbing in any part of the forty feet?—A. Yes.

Q. From the top down?—A. Yes.

Q. But not to leave the top open? Do you understand me?—A. Not exactly.

Q. If the webbing rolls down from the top, it is the top that is always closed. There might be an opening down below?—A. Yes.

Hon. Mr. TOLMIE: Mr. Chairman, as I understand it this is not the style of trap that is used at the present time in Sooke; and I was going to ask why we are wasting so much time on a trap nineteen years old, when we are using something better to-day.

Mr. NEILL: More effective.

The CHAIRMAN: Well, we should have that verified.

*By Mr. Neill:*

Q. Mr. Coverdale, is the present trap more effective than that one?—A. Much more. As these here wings that run out here, which you saw on that other one, and the apron will be out here, that gives them so much more area here (indicating) to hold fish instead of just this place.

[Mr. J. A. Coverdale.]

*By Mr. Moyer:*

Q. You are describing the chart you saw yesterday?—A. Yes.

Q. Do you know whether or not it is a picture of the present trap at Sooke?—A. No.

Q. You have not seen the present traps?—A. No.

Mr. NEILL: Who drew that trap—Mr. Goodrich?

Mr. MOYER: No.

Mr. NEILL: Who did?

Mr. MOYER: The department. It is not supposed to be his trap.

Mr. TOMLINSON: He said it was identical with his trap, except that one side—the wings on the one side were off.

The WITNESS: It could hold more fish in it.

*By Mr. Cameron:*

Q. How would you close this trap for the closed season, as you call it? Where would you close it?—A. Just simply unroll this webbing and let it down.

Q. There might be a number of fish inside there where your hand it?—A. Yes.

Q. They could not get out?—A. No.

Q. And when the spiller would be open—A. They lead in right in here (indicating).

Q. There would be nothing wrong about that?—A. No, certainly not.

*By Mr. MacNicol:*

Q. That is what traps are for?—A. Certainly.

*By Mr. MacNeil:*

Q. You say you counted 268 fish passing from the spiller to the pot. Were they coming in from the opening?—A. Yes. It was not clear down.

Q. You traced the movement of these fish from the opening where the apron drops to the entrance to the pot?—A. No, we did not trace them from there. We stood right here (indicating) and counted them going right in.

*By Hon. Mr. Michaud:*

Q. Where are they coming from?—A. They must have been coming in the trap.

*By Mr. Cameron:*

Q. They might have been in when the trap was closed, might they not?—A. Some of them.

*By Mr. MacNicol:*

Q. They might have been all in when the trap was closed?—A. I could not say.

*By Hon. Mr. Michaud:*

Q. Could you differentiate between those which were in, which might have been in before the trap was closed and those which came in after?—A. No.

*By Mr. Taylor:*

Q. In part of your statement you are definitely accusing the company of having broken the fishery regulations. You still adhere to that, do you?—A. Yes.

Q. That they deliberately broke the fishery regulations?—A. Yes.

Q. At that time?—A. Yes.

*By Mr. Tomlinson:*

Q. Give us your reason for that?—A. Because the apron was not down.

Q. Did you see that?—A. Yes, absolutely. I have been on all them traps, took fish out of here, and I have helped put webbing on, that is hanging it and tying it. That was my job. Coming in here with the pots down, the men up here (indicating) as soon as you pull up and tie it, they run across here (indicating) and untie these ropes and down goes that there webbing, and you jerk your pots down and go right in here (indicating) and they pull this up so that the fish cannot get out; and if there is lots of fish in there they start brailing. This is closed (indicating) so no fish can get away. They start brailing right here, and you get your boat—

Q. What do you mean by brailing?—A. That is a big wire with a ten foot pocket with which you snare them up and then you swing them across and let the draw string loose in the bottom and away they go down in your boat. You keep working as they take the fish out of here; that slackens this web, so you keep working this web underneath your scow, and there will be three or four men on here. As soon as you get that web on the outside of your scow—here is the back part of your trap, and you are holding on there until they brail some more out, and you are moving this right across the bottom, until you have them all run right into the pocket, and the last dip takes everyone out, and you drop back, and the man drops this here, and you shoot up here, grab your boat and away you go to the next trap, and the man that stays here sets this again, and if the tide is flooding they will stay out here and start fishing.

*By Mr. Taylor:*

Q. You are really describing a fixed purse seine. The purse seines act in very much the same way.—A. Yes; you brail out of a purse seine just the same as that, and you pull up your web just the same and they go into a large pocket.

Q. It is really a fixed purse seine. (No audible answer).

*By Hon. Mr. Michaud:*

Q. A purse seine is a movable trap?—A. Yes, sir.

*By Mr. Tomlinson:*

Q. I am not satisfied yet with your description to us that the company at that time were breaking regulations.

The CHAIRMAN: That is what we called you for.

*By Mr. Tomlinson:*

Q. You saw fish coming in through the first opening?—A. When you see this here right out through you know that the web is not down.

Q. You actually saw that that day?—A. Several days. When you see that it is clear down you know it is down.

*By Mr. MacNicol:*

Q. Whose duty was it to put it down?—A. The watchman on this trap.

Q. It was not part of your duty?—A. No, sir. I was out there to build this little house that day, as they had not got that house built yet. It sets right here.

*By Hon. Mr. Michaud:*

Q. Mr. Coverdale, in 1919, the time you worked on these traps, do you know what regulations were in force as to the closing of the traps and lifting of the traps. What was supposed to be the close time?—A. Well, I could not just say now whether it was Friday or Saturday; but everybody knows it is close season.

[Mr. J. A. Coverdale.]



That is why we were out here building this little house because we were not supposed to be lifting the traps. That is why we went out there that particular morning. Other mornings I would be all the way down to Boulder Beach, Sheringham and Otter Point, lifting the traps and coming back.

*By Mr. Tomlinson:*

Q. Would it not be more easy on the new traps to have the same circumstances?—A. Certainly. If this apron is not down they are fishing.

Q. Who is supposed to check that?—A. The fish guardian.

*By the Chairman:*

Q. Did you ever see him around there?—A. Very little.

*By Mr. Moyer:*

Q. How long were you there?—A. At the trap?

Q. Yes?—A. You are not there right along.

Q. How long were you employed on the traps, how many months or weeks?

—A. I think February to about the 1st September, approximately that time.

*By Hon. Mr. Michaud:*

Q. In those days were they fishing traps in February?—A. No, but we were getting them ready to drive, getting the gear ready.

Q. What time of the year did the fishing season open when you worked there?—A. I could not tell you what time it opened—it is quite a long time ago.

*By Mr. Taylor:*

Q. There is a large scale map of the Sooke district over on that wall (indicating). Will you look at it and see if in your memory the traps are placed about right there. You will observe on the left there is Otter Point. They are drawn in pencil.

Mr. NEILL: Is that a map produced by the department?

Mr. TAYLOR: Yes, produced by the British Columbia cartographer.

Mr. NEILL: I want to know who put that map on the wall.

Mr. TAYLOR: I put it there.

Mr. NEILL: Where did you get it?

Mr. TAYLOR: From British Columbia, from the cartographers.

Mr. NEILL: Who marked the traps?

Mr. TAYLOR: I did; I marked them.

Mr. NEILL: How did you get knowledge of where the traps were at Sooke?

Mr. TAYLOR: How do you know things?

Mr. NEILL: I don't know where the traps are. You admit you marked the traps on the map. Where did you get your information?

Mr. TAYLOR: I am asking if I marked them correctly.

The CHAIRMAN: Mr. Neill wants to know if this is a departmental map.

Hon. Mr. MICHAUD: No. That has been explained by Mr. Taylor.

The WITNESS: Yes—there should be a trap right here at Sooke.

*By Mr. Taylor:*

Q. It is marked in pencil?—A. Yes. There should be a trap here and at Beechy Head. This is a little trap here, and a rather long one here. That one was washed out before my time. I never saw it.

Q. They tried to put it in there, but it was washed out?—A. At Otter Point a little short trap there, good spring salmon trap, extra good spring salmon trap, is this little one here at Beechy Head. Here is this sockeye trap, an exceptional trap, the best sockeye trap right here.

*By Mr. MacNicol:*

Q. May I suggest when you point to a place you name the projection, whatever it may be, so that it will go into the record. When you say "right here" it does not mean a thing when we read the record. If you could name the point we would be able to follow?—A. That is a Gordon trap.

*By Mr. Tomlinson:*

Q. Where is that situate?—A. Situate between the Otter Point trap and the Muir Creek trap.

*By Mr. MacNicol:*

Q. Are there any other traps?

Hon. Mr. STIRLING: Perhaps if Mr. Coverdale would not mind beginning at the west and ticking off the names.

The WITNESS: There is another trap down here below Jordan river that we had in the year I worked there.

*By Mr. Taylor:*

Q. Now, the Sheringham trap—A. The ones that were there when I was there.

Mr. MACNICOL: Yes.

The WITNESS: Boulder Beach trap.

The CHAIRMAN: Go slow, now.

The WITNESS: Cold Creek trap, Sheringham trap, Muir Creek trap, Gordon trap, Otter Point trap, Sooke trap and Beechy Head trap, four Mr. Todd's traps, and four American company's traps.

*By Mr. Hanson:*

Q. Describe each one of them, first the good sockeye traps, and put it on the record.—A. The Gordon trap.

Q. That is a sockeye trap?—A. That belonged to Mr. Todd.

*By Mr. MacNeil:*

Q. What is the name of the headland there; what is the name of the point?—A. This is Otter Point. The Gordon trap is in a little ways down from the point. This is a little short trap in here.

*By Mr. Hanson:*

Q. These are spring salmon traps?—A. Beechy Head is an excellent trap, 110 feet of water there. This is very good here. Next one is Otter Point trap, spring salmon, the best traps.

*By the Chairman:*

Mr. Coverdale, you just said four of these traps were owned by the Todd company and four by the American company.—A. At that time, yes sir. Mr. Todd was separate altogether, placed in Otter Bay, and they had their pile driver.

Q. To whom do you refer as the American company?—A. The Sooke Harbour Fishing and Packing Company.

Q. It is an American concern?—A. Yes.

[Mr. J. A. Coverdale.]

*By Mr. Moyer:*

Q. Do you claim it is an American concern now?—A. No, I don't know what it is now; it was at that time.

*By Hon. Mr. Tolmie:*

Q. You are speaking of 1919 now?—A. Yes, sir.

*By Mr. MacNeil:*

Q. While you are before the large scale map will you explain about the coast outline, whether it is difficult as you state, for a man to gill net in these waters.—A. You see, here is the bay in here, and you have to get up in here. Here is a great place right in here. You can gill net in here.

*By Mr. Taylor:*

Q. Turn around the other way so we can see.

*By Mr. Tomlinson:*

Q. Where is that?—A. Sheringham. And there is a good cove right in here, for you can get in—very good place in here. There is a good cove right in here to get in if it comes up and blows.

*By Mr. Moyer:*

Q. How far is Sheringham from the next trap to the east?—A. I should say five miles, something like that.

*By Hon. Mr. Michaud:*

Q. Did you say five miles?—A. This is a very poor place as it is very rocky and they have to brace their lead and it is quite a bit of trouble.

*By Mr. Taylor:*

Q. Is that the Muir Creek trap?—A. Yes.

*By Mr. MacNeil:*

Q. The gill netters cannot operate in between these traps—is that your opinion?—A. Not very handy, no.

*By Mr. Moyer:*

Q. Because of the traps or because of the local conditions of the water.—A. Well, local conditions a little bit right here, but the traps are there too; and up here there is a splendid place.

Q. Where is that?—A. At the Gordon trap, as you have got a fine bay right in here and nice ground, but the trap is there. You cannot do it right here because there is a pretty short place.

*By Mr. MacNeil:*

Q. At that particular point you say it would be impossible for gill netters to operate while the traps are there because they would not drift?—A. No, they would not drift in here.

Mr. TAYLOR: Can they not drift outside the trap?

*By Mr. MacNeil:*

Q. Impossible to operate?—A. Pretty swift up there, and the fish are lying too much in here resting.

Q. You are quite sure it is not swift where the traps are set?—A. Yes, sir; swift right here just around the point naturally, as around any point; but this runs back in here, and the tide is out here. The tide generally runs in like that.



*By Mr. Taylor:*

Q. Well, it is a remarkable thing they have not been able to place a trap in Sooke bay which is immediately to the east because it has a big tide, and the tidal stream is altogether too strong and washes the nets out.—A. When I was up there the general talk was it was very rocky and hard to hold the lead here. This one right here. I have seen the trap. There were lots of braced piles needed, and they could not work it because they could not go down deep among the rocks.

*By Mr. Neill:*

Q. Lack of penetration?—A. Yes, sir.

*By Mr. MacNeil:*

Q. It was the condition of the bottom, and not so much the movement of the tide?—A. Yes; but fairly strong tides at times at the Gordon trap.

*By Mr. Taylor:*

Q. Is it not a fact that the fish run in to spawn on the spring tides, not the neap tides? The high tides always carry the fish, do they not?—A. The high tide, yes, the ebb tides generally do—

Q. I do not mean the ebb tide, or the flow tide, I mean the tides are larger at certain seasons of the year and smaller at others?—A. Yes, sir.

Q. Is it not a fact that the fish run in on the spring tides?—A. Well, I am not posted on that.

*By Mr. MacNeil:*

Q. Are the gillnetters prevented from fishing in there because of the prevalence of dogfish?—A. There are two of these traps, and in a case like that in the summer there is lots of offal there, and they will hang around here to feed, so you could not put your gill net in, so you stay home.

Q. Is the offal thrown back in the ocean?—A. Yes, sir.

*By Hon. Mr. Michaud:*

Q. From what?—A. The trap.

*By Mr. Taylor:*

Q. Every fisherman throws it in the water?—A. Oh, naturally.

Q. The purse seiners do a great deal of it?—A. When you clean a fish—

*By Hon. Mr. Michaud:*

Q. If there was some purse seining there there would be dogfish looking for the offal just the same?—A. Not as much, because the offal would not be there.

Q. Why?—A. There is nothing to catch it.

Q. A purse seine won't catch offal?—A. Yes; but it would be washed away. The trap holds it there.

Q. Washed away before the dogfish would arrive?—A. I suppose some of them would catch part of it, but it would not be there.

*By Mr. Pottier:*

Q. You stated that you could not drift your net at the outside of the trap because the fish would be inside the leader?—A. Yes.

Q. That is correct, is it?—A. Yes, sir.

Q. The fish get inside the leader, and there would be no use of drifting your gill net outside the trap—is that right or not?—A. Yes.

[Mr. J. A. Coverdale.]

Q. Well, then, does the trap catch all the fish that come inside the leader?—  
A. Absolutely; they do not get away.

Q. There is not a fish that goes by at all?—A. There would be some out here in this swift water, naturally; they are not all coming in here because there are weak ones and strong ones.

Q. You have to say one thing or the other. You told me the fish all keep inside the leader, and there is no use to drift your gill net outside the trap because there are no fish there?—A. The majority of the fish come in here to rest, and there is a trap there to catch them.

Q. Then, the trap catches the majority of the fish that go up the river?—  
A. Yes, sir.

Q. How do you explain that 98 per cent go up the river and are caught by other fishermen?—A. It is a pretty wide area of water.

Q. There are a lot of fish that go beyond the trap and go outside the trap?—  
A. Quite a bit.

Q. The gill net can catch that fish. Ninety-eight per cent of the fish go outside the trap; is not that right?

Mr. MACNICOL: Yes.

The WITNESS: I never figured that out. When you are working along here you know where the fish travel and you are satisfied if the traps were out of here you would make a living.

*By Mr. MacNicol:*

Q. That is where they school up?—A. Yes.

Mr. MACNICOL: They school up but don't go to school.

*By Mr. Tomlinson:*

Q. In other words the seines would have difficulty in going out in the swift water to catch the fish going past. Is that it?—A. They do not school up so much in the swift water as they do in the slack water.

Q. Travelling along very fast?—A. Yes.

Q. That is the reason why the traps are placed in the quieter water; they school there?—A. Yes.

*By Mr. Taylor:*

Q. Just about two per cent of them go to school at that place?—A. I rather think much more than that.

Hon. Mr. MICHAUD: Only two per cent go to school.

*By Hon. Mr. Tolmie:*

Q. Dr. Found is an expert on fish and I should like to ask him if it is usual for fish to go to the shore to rest?

Mr. NEILL: He wants to know if the fish go ashore to rest!

The WITNESS: No, sir; they rest in the slack water.

*By Mr. Moyer:*

Q. Yesterday Mr. MacNeil asked you this question: "As a matter of fact the fish do not move back with the tide; they are continually trying to progress in one direction?" Your answer to that question was "yes." How do you reconcile that with the statement you made a moment ago of their resting?—A. They move back with the tide?

Q. That is what you say here.

Hon. Mr. MICHAUD: You stated yesterday they did not move back with the tide; they were always going ahead.

*By Mr. Moyer:*

Q. The question was "As a matter of fact the fish do not move back with the tide; they are continually trying to progress in one direction?" Your answer to that question was "Yes, sir."—A. That is their natural way of working, against the tide all the time. But, I suppose, if they are in slack water they are lying there waiting for a start, and—

Q. Waiting for a tide to fight?—A. To buck the tide again.

*By Mr. Tomlinson:*

Q. They are resting?—A. I am not posted on this very much.

*By Mr. Taylor:*

Q. Just what do you mean by slack water, Mr. Coverdale?—A. The tide is not so swift.

Q. The term is generally used to describe the condition between ebb and flow?—A. Yes.

Q. So that it is only between the tides that the fishing is done?—A. Yes, sir.

Q. What happens when the tide is definitely flowing?—A. The trap is fishing.

*By Mr. MacNicol:*

Q. Do they fish when the tide is running out as well as when the tide is running in?—A. Sir?

Q. Is the trap fishing when the tide is running out?—A. No, sir.

Q. And fishing when the tide is running in?—A. No, sir.

Q. Just when it is running in?—A. Yes.

*By Mr. MacNeil:*

Q. I asked you that question yesterday because a previous witness stated they only fished on one side of the trap because of the prevailing—A. Yes.

Q. —direction of the tide. That would account for it?—A. Yes, but you have not got any opening here so they would lodge in here. That is why there is only one place for them to go in by when the tide is flooding. That is why they are coming in there.

*By Mr. Taylor:*

Q. They are actually going with the tide when they are going in there on the flood. The flood comes right through from Cape Flattery?—A. No; it will be the ebb there but it will be the flood out here, as there is a big eddy just opposite. You will find that.

*By Mr. MacNeil:*

Q. You have indicated that the traps intercept a very important movement of the fish which strike the shore. The general movement is towards the Fraser river?—A. Yes, sir.

Q. A previous witness stated on the ebb tide the fish were not retained in the angle between the lead and the wing of the heart, but were carried away by the ebb tide. Is it not true they tend to remain in the inner heart?—A. They remain there waiting until it turns again, then they proceed.

Q. They do not reverse the general direction of their travel at any time?—A. No.

Q. They are going towards the Fraser at all times?—A. Not to my knowledge.

[Mr. J. A. Coverdale.]



*By Mr. Tomlinson:*

Q. Do they mill around in there when the flap goes down?—A. Yes, naturally.

Q. When it is closed they mill around there, do they?—A. Naturally, but I never seen them milling around in there.

Q. At the outside there?—A. Yes, outside here. They are in up there when it was down to my knowledge.

*By Mr. Taylor:*

Q. From your experience of the waters, do you know of an eddy that was hundreds of feet across? The eddies are round the shore, are they not?—A. Yes.

Q. Did you ever know of an eddy that was several hundred feet deep or wide? They really only extend a very few feet out from shore, all the eddies that you know of, don't they?—A. Oh, no.

Q. Explain some that you are particularly aware of where the eddy extends out a considerable distance from the shoreline and the course of the eddy is directly opposite to the course of the tide?—A. That is what you call eddies, where these traps are set.

Q. But in one case it is twelve hundred feet long, the trap?—A. Yes, sure; it would be a pretty good size eddy.

Q. Twelve hundred feet?—A. A pretty good size eddy.

Q. You would think they would be twelve hundred feet?—A. Yes, and more.

The CHAIRMAN: Now, we are going over a good deal of ground we went over yesterday. If the committee is through with Mr. Coverdale we shall call the other witness, if it is the wish of the committee. Are you through, Mr. Neill?

Mr. NEILL: Yes.

The CHAIRMAN: Are you through, Mr. Moyer?

Mr. MOYER: Yes.

The CHAIRMAN: Mr. Coverdale, you may be recalled at any time, so you had better stay here. Now, we shall call Mr. Miller.

The Witness withdrew.

GEORGE MILLER called and sworn.

The CHAIRMAN: Would the committee prefer to have Mr. Miller make a statement?

Mr. NEILL: I would suggest he tell us who the Fishing Vessels Owners Association is, and what they consist of. I am referring to the association that sent the wire saying they had no truck or trade with him.

Mr. MOYER: Would it not be better if he identified himself first? Who is he, and whom does he represent?

The WITNESS: Mr. Chairman, I represent personally the Purse Seiners Union of Vancouver, which is a local of the Salmon Purse Seiners Union with headquarters in Seattle. I represent Pacific Local No. 6, Vancouver, and other organizations that assisted in instructing us in coming down here, to which you have already referred. They now amount to eight organizations with an approximate membership of 2,500, with the two that came in since we came here. Now, our instructions at that time—I should like to make this clear now that we were instructed. My evidence will be the representative and collective information of the representatives of these organizations before I left Vancouver, not my own personal information. I should like that to be

known to begin with. The other two organizations that you have wires from this morning, the United Fishermen's Union, Local 44; their representative was present at the meeting the night before we left to come down here. He came in with Mr. Gray of the B.C. Fishermen's Protective Association, Westminster. He sat through the meeting when the discussion took place with Mr. Coverdale on the basis of what he knew about traps. We tried to follow out your recommendations in the wire to bring a representative of a trap if possible, and this is the only one that we could get and was recommended by the Kyuquot Trollers Association, Mr. Larum—

*By Mr. MacNicol:*

Q. Mr. Coverdale was the only one?—A. Was the only one that we knew actually worked on the Sooke traps, and knew how the traps operated, and so forth. After we had come over to Vancouver we had already met each of the unions, and the representative of the United Fishermen's Union, Mr. Guest, was present at the discussions when questions were put to Mr. Coverdale when they delegated him as their representative, the six or seven organizations, whatever it was, with the idea to see whether he was a suitable witness to send down. We were convinced that he was suitable, of course. Following the further telegram you sent to us asking the representatives to bring credentials showing that we represented these organizations we drew up the credentials that we handed in to you and each of the representatives in the meeting there put their names to it, the name of their organization and signed it vice-president, or secretary, whatever it happened to be, of the organization. Then we asked Mr. Guest if he could do the same. He said, "No, we have not had a meeting; we are fully in accord with everything that has taken place in this meeting and there is no doubt that we will go on record in our meeting to support the entire program, but I have no authority to put my name, or the organization's to the credentials." Since that, of course, after the meeting adjourned—The Fishing Vessels Owners Association of Vancouver from whom you have a telegram is made up mostly of halibut men who own their own halibut boats. They are mostly halibut men. I am not familiar with the seine end of the fishing in British Columbia, but I do know this that the vessel owners very often come together with the United Fishermen's Union. They have in the past met in the same hall—of course, at different times. But their organization is very small; and not since during the discussions of the sock-eye treaty two years ago—the international sock-eye salmon treaty at Westminster—have I ever known of that committee in existence as an organization until this present time, in connection with the traps, when one of their representatives came up to a meeting of the salmon purse seiners in Victoria and read off a copy of a letter that he was sending down to this committee protesting traps in British Columbia.

*By Mr. Neill:*

Q. Against traps?—A. Against traps in British Columbia. He asked us to endorse a similar letter and send that from our organization, and we promised him we would. He left, and in our meeting we endorsed this same kind of letter. That is all I know of the Vessel Owners' Association.

*By Mr. MacNeil:*

Q. It has come to your knowledge on previous occasions that both these organizations had expressed opposition to traps?—A. Yes, absolutely.

*By Mr. MacNicol:*

Q. I would like to ask Mr. Miller about himself, personally. Are you a fisherman?—A. Yes, I am.

[Mr. George Miller.]

Q. You have fished?—A. Yes, I have.

Q. Do you fish daily?—A. Lately?

Q. Do you fish—not daily, but is it your business—fishing?—A. That is my business, fishing yes. I been connected with the fishermen's organization in an official capacity since 1932.

Q. What official capacity?—A. Or from 1934. I was president of the Fishermen and Cannery Workers Industrial Union. That union has since been broken up into two parts. One is now the Salmon Purse Seiners Union, a chartered organization, and the Pacific Coast Fishermen's Union is the gill netters and trollers section of the Vancouver Fishery and Cannery Workers Industrial Union. They also have a charter.

*By Hon. Mr. Michaud:*

Q. From where?—A. Their charter is from the headquarters of the organization in Astoria, Oregon.

Q. And your organization headquarters are in Seattle?—A. Yes, in Seattle.

Q. You are not affiliated with any Canadian labour organization?—A. It is only a question of time till we will have a seat in the local labour council.

Q. You are not, as a matter of fact?—A. No. But we have made application for affiliation.

Q. But you have not been granted affiliation?—A. No.

*By Mr. MacNeil:*

Q. You have your charter from the American Federation of Labor?—A. As an affiliate of the American Federation of Labor.

Q. It is a matter of routine to secure recognition from the congress in Canada?—A. That is all.

Hon. Mr. MICHAUD: That is a matter of your opinion; that is all.

The WITNESS: No, it is an international trade union custom that any international union in Canada can and must be affiliated with the local union in Canada.

*By Mr. MacNeil:*

Q. The congress?—A. The congress.

*By Hon. Mr. Michaud:*

Q. As a matter of fact, this question was discussed at Astoria a year ago last January?—A. The question of local affiliation, you mean?

Q. Yes?—A. I do not remember whether it was or not. But if it was, there was a complete understanding that an international—

Q. No,—was it discussed?—A. Certainly it was discussed, because we certainly wanted to be affiliated with the local trade union movement—certainly.

Q. But at that meeting in Astoria, you were a delegate there a year ago?—A. Yes. I was myself there.

Q. And there was a discussion at the meeting about your credentials?—A. Yes.

Q. They were questioned?—A. Yes. But it was—

Q. By the Trades and Labor Council of America?—A. They were questioned by that particular organization, the Pacific Fishermen's Union, but they were questioned on this basis, I may say, that at that time I was a member of the Fishermen and Cannery Workers Industrial Union, which was not a chartered organization, and they questioned whether I had the right to sit in a meeting of a chartered union, a convention.

Q. That is, the American Federation of Labour did not want to recognize you as a representative of the Fishermen and Cannery Workmen's Union in Astoria last winter?—A. No, no. They did recognize me. But it was only a



matter of whether I should be seated as a delegate in their convention, the American Federation of Labour convention, while I was coming from an unchartered organization. That was the only question.

*By Mr. MacNeil:*

Q. The matter was eventually cleared up to everybody's satisfaction?—  
A. Yes.

*By Mr. MacNicol:*

Q. What I want to get at is are you a practical fisherman? What we were hoping to hear before this committee, and what we had hoped British Columbia would send down here was practical every day fishermen. When I say every day, I do not mean the days you are not allowed to fish. I mean, do you go out in your boat? I might ask you if you are a seine fisherman or—what is the other?—A. Gill netter.

Q. Gill netter?—A. Yes.

Q. Are you gill netting every day you are allowed to gill net?—A. Myself?

Q. Yes?—A. No. I cannot do that and hold my official position.

Q. What do you mean by that?—A. Well, last year, as I said before, I was president of the organization.

Q. Yes?—A. Up till September 15. On September 15, when the charter was received for the salmon purse seiners section of the union, I became business agent for the salmon purse seiners.

Q. So now you are an employee?—A. Of the union.

Q. Of the union?—A. Yes.

Q. Are you associated with the Canadian Trades and Labour Council?—A. We hope to be very shortly.

Q. You are not now?—A. No.

Q. Are you affiliated with the American Federation of Labour?—A. Yes.

*By Mr. Tomlinson:*

Q. How long since you applied for your affiliation?—A. In the local trade union council?

Q. Yes?—A. We applied I think it was in December.

Q. Of last year?—A. Yes.

*By Mr. Neill:*

Q. I would like to ask you another question, and to call your attention to this article in the Pacific Coast News which is signed by Mr. Guest, the gentleman we have been discussing, forwarding a resolution to the Minister of Fisheries. I would like to call your attention to it and ask you to read it. It is only a short resolution. What is the date of the paper?—A. The date of the paper is February 18, 1937, and the resolution in question is—

Q. It was sent to whom?—A. It was sent to the Hon. J. E. Michaud, Minister of Fisheries, and says "to assist in getting 'speedy action.'" That is the way it is put. The article goes on:—

The letter to the minister dated February 13, 1937, and signed by M. E. Guest, secretary of the union, follows:

I have been instructed to forward to yourself for such action as you can speedily effect the following resolution, passed by our organization on February 11, 1937:

Whereas, the grave danger of fish traps being returned to Puget Sound waters offers an immediate problem, and

Whereas, the substantial recovery in per cent of salmon being caught in British Columbia waters is unquestionably due to the elimination of traps in Puget Sound,

[Mr. George Miller.]

Therefore be it resolved, that we, the United Fishermen's Union of British Columbia, Local No. 44, hereby go on record requesting the proper authorities at Ottawa to immediately open discreet negotiations through diplomatic channels to prevent Initiative No. 77, now before the Washington state assembly, from being abandoned and traps again allowed in Puget Sound waters.

Thanking you to lend the full weight of your office in getting speedy action on the above matter, I remain . . . , etc.

Q. That is the man by whom that telegram was signed.

Hon. Mr. TOLMIE: He must have changed his mind.

Mr. MACNICOL: What Mr. Miller read referred to a request, as I understand it, to the government to exert pressure or influence, or whatever it could have, to maintain the situation, as far as the traps are concerned, at the present time prevailing in Washington State.

Hon. Mr. MICHAUD: That is clear.

Mr. MACNICOL: The article does not in any way refer to the traps at Sooke.

Mr. NEILL: Oh, yes—"the grave danger of fish traps being returned to Puget Sound waters."

Mr. MACNICOL: Sooke is not Puget Sound.

Mr. TAYLOR: Puget Sound is in American territory.

Mr. NEILL: "Whereas, the substantial recovery in per cent of salmon being caught in British Columbia waters is unquestionably due to the elimination of traps in Puget Sound."

Mr. MACNICOL: Exactly.

Mr. NEILL: They want it continued. They are scared of traps, and ask for the continued prohibition in Puget Sound.

Mr. MACNICOL: You have got to be fair. It refers to Puget Sound. It does not refer to Sooke.

Mr. NEILL: Do you think that is in favour of traps?

Mr. TOMLINSON: Let me have a look at that.

*By Mr. MacNeil:*

Q. By training and experience you call yourself a practical fisherman?—A. Yes.

*By Mr. Moyer:*

Q. How long have you held a fishing licence?—A. I held a fishing licence in 1936.

Q. Have you ever held one before 1936?—A. Yes. But it is some years back.

Q. Seven years back?—A. Some years back.

Q. Excuse me. How long did you hold a fishing licence at that time some years back?—A. I believe I held it two years, at least, in succession. I had a trollers licence.

*By Mr. MacNicol:*

Q. How long ago?—A. I am not quite sure of the date but I believe it would be around 1926 or 1927, or 1925 and 1926—somewhere in that neighbourhood.

Q. Have you not fished in between those years?—A. No. I was logging during that other period, until I went back into fishing.

*By Mr. Tustin:*

Q. How many years did you actually fish? How many years did you follow the occupation of fishing?—A. How many years?

Q. Yes, that you actually did the work of fishing?—A. Well, I can say three years and be quite safe.

*By Mr. Moyer:*

Q. Did you fish during 1936?—A. Only part time.

*By Hon. Mr. Michaud:*

Q. How long?—A. I fished a week, or three days, in Rivers Inlet; and I made several drifts on the Fraser River. I may tell you that the purpose of my fishing was to keep myself acquainted with the actual conditions of fishing, because I am an official in the union—to keep myself acquainted with the problems of the fishermen as well as to have actual practical knowledge and keep right up to date on the business.

*By Mr. Moyer:*

Q. You were a walking delegate, in other words?—A. A walking delegate, in other words. My licence gave me the right to go out as a boat puller, I might say, with another man, and help him on his drifts. I received no remuneration for this, by the way. It was only for my own personal experience and to keep myself in proper shape as far as the industry was concerned, so that I knew what was going on.

*By Hon. Mr. Michaud:*

Q. Pardon me. You said that you fished three days last summer in Rivers Inlet or Smiths Inlet?—A. Rivers Inlet.

Q. What time of the year was that?—A. That was in the first week of July.

Q. Just at the opening of the fishing season?—A. The first week.

Q. The first three days?—A. The first three days.

Q. You fished three days, and then you and the other fishermen went on a strike?—A. Yes.

*By Mr. Moyer:*

Q. Did you go out there to organize a strike?—A. Well, Mr. Chairman, I do not know if this question—if I am asked to give an answer to this question of the strike or whether it is a discussion of traps. If it is a question of the discussion of the strike, I am quite willing to go into a full discussion of it.

Q. I think you should answer that question. Did you go out there to organize a strike?

Mr. MACNEIL: I do not know that this is relevant.

Mr. TOMLINSON: Absolutely. I want to know about this.

The CHAIRMAN: As far as this gentleman's qualifications are concerned, I read the telegram that I sent, and I think the telegram was in accordance with the wish of the committee: "Re telegram February 24 committee willing hear two witnesses representing bona fide fishery organization." The telegram did not say that this man had to be a bona fide fisherman himself, but that he must represent a bona fide fishery organization.

*By the Chairman:*

Q. Do you represent those organizations?—A. Right—I do.

[Mr. George Miller.]



The CHAIRMAN: Is the committee satisfied with his credentials, that he can speak for those organizations?

Some Hon. MEMBERS: Sure.

Mr. CAMERON: I am going to suggest, Mr. Chairman, that we have spent a good deal of time on this witness, and on all the witnesses. I unfortunately belong to a profession that once in a while tries to draw a red herring across the trail. I am not finding very much fault with Mr. Moyer for doing that. But whether or not this witness went out to organize a strike has no more to do with it than the colour of the chieftain in Timbuctoo. We want to know through this witness as much as he can tell us about the effect of traps in this particular place, if it has an injurious effect upon other fishermen, and if it would be wise for this committee to make a recommendation for or against these traps. I am going to suggest that we forget all about this strike business. Perhaps it was justified; but, if we are going to go into that, we would have to go into it fully, to be fair about it; we would have to hear both sides and we would be here until July.

Some Hon. MEMBERS: Hear, hear.

The CHAIRMAN: I think that the committee would do well to proceed and get from the witness now what information he has relating to the organizations that sent him here. Later on, if the committee thinks it is important, we can take up the question of whether he was implicated in a strike or not. That would be a matter for later consideration.

*By Hon. Mr. Michaud:*

Q. Mr. Miller, you said you fished three days in Smiths Inlet last year or Rivers Inlet last year, before the strike. Then I understood you to say you fished in the Fraser River also last year?—A. I said I went out with a union member and made one or two drifts, that was all; helping him.

Q. That is all?—A. Yes.

Q. You went out to make one or two drifts with a union member?—A. Yes.

Q. How much fish did you catch?—A. Well, I could not say now how much was caught. I never paid much attention, to tell you the truth.

Q. In what section of the Fraser River was it that you fished?—A. I went out from Sunbury.

Q. Just twice?—A. I think I was out three times.

Q. Three times?—A. Yes, altogether.

*By Mr. MacNeil:*

Q. You were going to make yourself thoroughly familiar with conditions on the Fraser River?—A. Yes.

*By Mr. MacNicol:*

Q. Were you out with the same man?—A. Yes.

*By Hon. Mr. Michaud:*

Q. That is last year?—A. Yes.

Q. That is all the experience you had last year?—A. Yes, on the Fraser River.

Q. You were not gill netting last year?—A. I did.

Q. Were you gill netting?—A. That was gill netting.

Q. Gill netting?—A. Yes. That was gill netting.

Q. It was a gill net licence you had last year?—A. Yes, a gill net licence.

Q. That is all the fishing you did last year?—A. That is all the fishing I did last year.

Q. The year before you did not fish?—A. No.

Q. And you did not fish before that—the time you fished before that was in 1925 and 1936?—A. Yes, somewhere along there.

Q. As a troller?—A. Yes.

Q. In what section?—A. I was trolling in the Seymour Narrows and Menzies Bay.

Q. As a troller?—A. As a troller.

Q. Or helper?—A. I beg your pardon.

Q. As a troller or a helper?—A. No, as a troller.

Q. And you took out a licence under your own name?—A. I believe so, yes. It is quite a while back. I cannot remember. I am not sure of the year. I know I sold my fish to Anderson at Quathiashki Cove.

*By Mr. MacNeil:*

Q. Would you say that your experience last year was sufficient to show you that conditions were practically the same as when you actually obtained your livelihood from fishing?—A. Absolutely, yes. I was fully acquainted—I might say that in my official capacity I am fully acquainted with all the branches of the fishing industry.

*By Hon. Mr. Michaud:*

Q. Of course, that is a matter for us to decide, for the committee to decide, as to whether we judge you as being fully acquainted; that is the reason why we are asking you those questions, to find out if it was a fact. Now, regarding your experience at Sooke—did you ever fish at Sooke?—A. I never was at Sooke.

Q. You never were at Sooke?—A. No.

Q. You never saw a trap at Sooke?—A. No.

Q. Did you ever see a trap?—A. I have seen a trap in Deep Water Bay, Johnson Strait—Deep Water Bay; Anderson had a trap in there.

Q. Some years ago?—A. About the time that I was fishing. That would be my closest way of remembering, when I actually trolled myself there, because that trap was in either just before I started to fish or was still in when I did start to fish.

Hon. Mr. MICHAUD: Mr. Whitmore, would you remember that?

Mr. WHITMORE: 1919 or 1920, I think.

*By Mr. Taylor:*

Q. You must have been quite a youngster at that time?—A. Well, I was not so young either. I am forty-four now.

*By Mr. MacNicol:*

Q. Were you fishing in 1919?—A. Well, if that is correct, as this gentleman says, that it was 1919, then that was the years that I was fishing. It must have been, because that is the only thing—

Q. That is the only experience that you have had since 1919?—A. Since 1919.

*By Mr. Tomlinson:*

Q. In other words, you are quite a good organizer; not being a real practical fisherman, they placed you at the head of this organization. Is that it?—A. Well, I do not think you can say that, because I believe if a man makes a study of fishing and then goes out on the ground and finds actual conditions, he is in a

[Mr. George Miller.]

position actually then to explain clearly how things could be bettered as far as the fishermen are concerned. I believe in that.

Q. In other words, you would claim that your knowledge was obtained not by practical experience but by study?—A. Partly by study and partly by practical mixing with the fishermen right in their work.

Q. I can tell you very plainly that your practical knowledge—

*By Mr. Cameron:*

Q. From observation?—A. Yes, observation.

Q. You went out and saw them?—A. Yes.

*By Mr. Tomlinson:*

Q. Your practical experience is of much more value to you than your study. I can tell you that, right now.—A. Yes, I believe it is.

Q. At least, I have found it that way.—A. I would like to say that in the meeting in Vancouver, before we left, the question of witnesses to be sent down here, after Mr. Coverdale was decided upon, was discussed very thoroughly; and already I had nominated a man from Fraser River myself, Mr. Roley

*By Mr. MacNicol:*

Q. A regular fisherman?—A. A regular fisherman, yes. I had nominated him myself. He was unable to come. We nominated Mr. Larum of the Kyuquot Trollers' Association. He could not come. We nominated Mr. Chris Eden—

Q. A regular fisherman?—A. Yes. He is a troller, of course. But both Chris Eden and Mr. Larum are both well acquainted with the west coast; that is, as far as trolling is concerned—especially Mr. Larum. While these nominations were taking place, and these men could not come for various reasons, I was quite willing to come, but quite willing also to stand back if anybody else would come; and the position in that meeting was that, with the shortage of time, we were afraid that this committee would not be sitting very long; and it was finally decided, with the discussions we had in the committee there, that I would be all right to come and convey the views of that body to this committee—not as my own views, personally, but the viewpoint, as far as the traps were concerned, of the entire body there.

MR. TOMLINSON: Personally, I am very disappointed that an actual practical man is not here to give evidence. That is what I really asked for in the first place.

MR. MACNICOL: We have Mr. Neill and Mr. Reid here, and both of them are walking encyclopedias with regard to everything pertaining to fish. I thought their representations were made in an excellent way, with an excellent background of knowledge. When the question came up of bringing someone down from British Columbia, the hope of the committee was that, perhaps, out of these 1,700 or 1,800 fishermen, there might be someone practically engaged in fishing at all times who would come down and try to tell the committee, or the rest of us—outside of Mr. Neill and Mr. Reid—about it, because the rest of us do not pretend to know anything about fishing. What we had hoped for was to have a really practical, every day man, down here to tell us about it.

*By Hon. Mr. Michaud:*

Q. Mr. Miller, are you representing also the Fishermen's Industrial Union of Canada?—A. There is no such union any more.

Q. No more?—A. No, no more.

Q. When was that broken up?—A. It was broken up about September—no, it was broken up a year ago last December, at the last convention, where the



decision was made to make application for a charter in the American Federation of Labour.

Q. Under the name of Fishermen's Industrial Union of Canada you could not get a charter in the Federation of Labour?—A. No. That was the very reason it was broken up. That is the very reason.

Q. Under what name did you organize after that was broken up?—A. Well, the seiners section organized into the Salmon Purse Seiners Union, local number 6, Vancouver; the other section, including the gill netters and trollers, organized into the Pacific Coast Fishermen's Union. The cannery workers that used to be in it are separate entirely, independent.

Q. Is there an organization still in existence known as the Fishermen's and Cannery Workers Industrial Union?—A. No, there is no such union in existence.

Q. It is no longer in existence now?—A. No.

Q. It was at one time?—A. Oh, yes.

Q. And you were secretary of it?—A. I was president of it.

Q. You were president of it?—A. Yes, for two years.

Q. And then it changed its name to Fishermen's Industrial Union of Canada?—A. Well, that is the only name I knew it by—Fishermen's Industrial Union.

*By Mr. Neill:*

Q. He said it changed—The Cannery Workers changed to that?—A. No. The only name that it has ever been under was Fishermen's and Cannery Workers Industrial Union of Canada.

*By Hon. Mr. Michaud:*

Q. Yes?—A. At least, that is when I was with it from the beginning, it was Fishermen and Cannery Workers Industrial Union of Canada; it is over a year now since it was decided at convention to break up.

Q. With regard to that Fishermen's Industrial Union of Canada, for how long was it in existence?—A. I believe about three or four years.

Q. And it was organized by the Workmen's Unity League of Canada?—A. The Workers' Unity League of Canada.

Q. With headquarters in Toronto?—A. Yes, with headquarters in Toronto.

MR. NEILL: Mr. Chairman, I submit that whatever this man may be, whatever his private character or what he has been in the past, he has been sent down here by these fishing unions.

HON. MR. MICHAUD: We are not questioning his character.

MR. NEILL: If they are satisfied with him, I do not see why we should not be. The comment was passed last sitting that we would refer it to them. They asked how we would do it, and we said leave it to the unions. If they did not send someone suitable, it would be their funeral. They took one practical man who knew all about traps and one man who knew the other end of it, although he has had some practical knowledge. If they are satisfied, we ought to be. He says he comes here, and he produces credentials, as their representative. I think we should accept him as such.

THE CHAIRMAN: That is my ruling on the matter, that he is to be allowed to go ahead and present the views of the organizations that sent him here.

MR. TOMLINSON: Starting right back at the start, whatever information he can give us, and get the whole thing in at once.

THE CHAIRMAN: Tell the committee if these organizations are opposed to traps or if they are in favour of traps.

MR. TOMLINSON: And why.

[Mr. George Miller.]

The CHAIRMAN: And why they are opposed to traps, if they are opposed to them.

The WITNESS: Well, they are certainly opposed to traps, all of the organizations that we are representing, eight organizations. They have not only at this instant but even before now they have protested against traps. In fact, Mr. Larum of the Kyuquot Trollers Association made the statement in our meeting that traps had been protested as far back as ten years ago, traps on Vancouver Island. The organizations feel that Sooke traps now—they are definitely out, of course, in Washington for another two years; even in the last two years there has been sufficient discussion going on amongst the organizations in British Columbia as regards what effect the Sooke traps were having, or at least, to what extent the Sooke traps were being utilized as a leader by the trap interests in the State of Washington to get a concession of getting not all the traps back in the Puget Sound area, but to get a concession of five traps away down in the lower end of the state as a beginning, and then work back into traps again in Washington. That is one of the discussions; and every organization felt that as long as the Sooke traps remained there, this would be a constant menace not only to be utilized by the interests in the State of Washington but actually to be utilized also in British Columbia by men asking for trap licences at other places where they are just as suitable and would work just as efficiently as they do at Sooke—more so, in fact; and especially so if they could get in the Fraser River, where they could eliminate every gill net fisherman out of the river if they were driven and put in in the proper places. In that connection, of course, since we have come down here the committee has made a decision as regards traps, at least for some time to come, for the rest of British Columbia. Washington has already now okeyed it again for another two years. So now it is a question, and I suppose I should confine myself, maybe, to actually that direct question, of the Sooke trap area itself. Now, I will state here that Mr. Larum and Mr. Eden, both west coast men, in the committee we had quite a discussion on the question of eddies; that is eddies in that particular area of Sooke. An eddy is the only place where a trap is suitable, where a trap can be driven to catch fish. It is only in an eddy. In a stream they are absolutely useless. There must be an eddy there. There is some question this morning of the length or width of an eddy. An eddy reaches from the current line to a point right inside that bay. It might be even two thousand or three thousand yards wide. I know an eddy, for instance, at the Seymour Narrows where you have a very distinct line showing the eddy where it runs from Race rocks clear straight down almost to Campbell river, leaving the entire Duncan Bay almost a complete eddy; it is eddy water.

*By Mr. Taylor:*

Q. Let me interrupt you. Is that an eddy or is it an incomplete flow of the tide?—A. It is an eddy. It is created by the backwater from the main current of the strait.

*By Mr. Neill:*

Q. I am familiar with that area.—A. It would be an eddy because it is created, at least in their opinion, the opinion of the men themselves, by what constitutes an eddy. It is comparatively slow moving water. It may still be moving but generally in the other direction to the main current. It is in slow moving water where the fish congregate at the rest periods, or for whatever reason. They feed in that particular place, and they school there, and that is where seining takes place. Seining can only take place in an eddy, sometimes to the side of the main line of the current. They go in there and seine and the moment the current changes they try to take the seine in. In a very strong

current it is absolutely impossible to cast a seine as the seine bags right up and goes into a knot. It must be done in comparatively slow water so that the seine will remain in a circle while they are pursing; consequently the fish are definitely in the eddy, and the fact remains through the experimentation of seining over a period of years they have found the most perfect site for a trap. They have developed a perfect site there where the fish are, and my co-witness reported that in one trap that they had driven they could stand on the side of it and watch the fish that had not reached the main channel going past that, and follow them go past. The trap was not perfect. It was not far enough out, and they lost that opportunity. Now, that would be overcome probably in the following year by this experience.

*By Mr. Reid:*

Q. Would these traps separate the school?—A. In fact, they would corral the whole school.

*By Mr. MacNicol:*

Q. They do not catch them all, because the evidence submitted here is they only catch two per cent?—A. What I mean is they catch all that come along that particular shore line.

*By Mr. Taylor:*

Q. Does not the seine fishermen catch all?—A. Yes.

Q. You agree the trap is nothing more than a fixed seine?—A. It is fixed gear, as a matter of fact. Now, I have two resolutions here that I should like to put forward. Both resolutions were adopted by the fishermen's convention in Seattle representing ten thousand organized fishermen. One resolution deals with the trap question in Alaska, and in Puget Sound, and is unanimously against the fixed gear such as the trap. I have both resolutions here.

*By Mr. Tomlinson:*

Q. I should like you to explain more fully whether all the fish are caught that come in contact with these traps or can a great many of them come down the stream and pass everything?—A. Undoubtedly that is why there are only two per cent, at least what has been reported as two per cent, caught in the trap. These are the fish that come into the environment of the traps. They were contacted by the traps and caught. But the main stream or the channel is plenty wide enough there for thousands, millions of fish to go up, and of course the main run misses it entirely.

*By Mr. MacNicol:*

Q. Why do they not purse seine out there?—A. Well, the reason for that is that these traps are in the entire eddy. They have to go out in the main current.

Q. Where the great majority of the fish are?—A. Yes; consequently the trollers go on the inside and there are one or two other factors in connection with it. One is that over this period of years the traps have been in there the entire bottom is covered with broken and old piles half sunken and the wire from the webbing there, so that when a troller comes along his lines entangle that, not only that but the offal from the traps tends to congregate dogfish close to the vicinity of these traps; and the troller comes along while the dogfish is around, and everything is overrun with dogfish. A gill netter trying to make a drift in that vicinity, certainly could drift, but he would fill his net with dogfish. There is nothing that either a troller or a gill netter hates more than

[Mr. George Miller.]



a dogfish, because it fouls their line, and they cannot fish while dogfish are in the vicinity. I have seen it myself often in Knights Inlet, where there are no traps, a tremendous amount of dogfish, where the gill netters come in with their nets with four or five hundred dogfish wrapped up in them, and it is a terrible mess to take these fish out of the gill net. Consequently the dogfish congregate like that, and this is the opinion of the people I am representing. The offal from the traps is sufficient to feed enormous quantities, at least keep enormous quantities of dogfish in the immediate vicinity of the traps. It attracts them and keeps them there for the entire season. Take a place like west Vancouver and the coast cannery. There were no dogfish there until that cannery operated. They came there the fall of the year, and there are no dogfish there until the cannery operates. Shortly after the cannery operates the place is swarming with dogfish, and they have to leave it and put in Howe Sound.

*By Mr. Taylor:*

Q. Of course, that would happen with the purse seines, also?—A. No, not to the extent.

Q. Not to the same extent?—A. No, not nearly.

*By Mr. MacNeil:*

Q. The purse seines are moving all the time?—A. Yes.

*By Mr. Taylor:*

Q. Let us suppose the purse seine people anchored just outside Muir Creek. There are no traps there. That would be a feasible way of catching fish, if there were no traps, would it not?—A. They would not anchor themselves of course.

Q. Suppose they did?—A. Make a setting there?

Q. They would be just as effective in that position as the present traps.

Mr. NEILL: It is against the law to anchor seines.

The WITNESS: I would say no. A purse seine can never be as destructive or take as many fish as a trap. A trap goes clear from the bottom to the top, and comes right up to the main current, and every fish regardless goes into that trap when it is fishing, everything, cod and everything. I have a note here made by Mr. Makie. He is a member of the Kyuquot Trollers Association and he states emphatically he saw on May 25, 1936, on the wharf at Victoria boxes filled with fish from the Sooke traps containing herring, rock cod, snappers.

*By Mr. Moyer:*

Q. This is not an affidavit?—A. This is a statement of the man. I have given you his name. Everything I am giving here is the collective opinion of the delegates at that meeting, of course.

Q. You mentioned an individual; I was wondering if you had his affidavit?—A. This is his name, and he gives what he saw on May 25.

*By Hon. Mr. Tolmie:*

Q. You say these fish were in boxes. Were they ready for market?—A. They were supposed to be for market. They were on the wharf at Victoria. The boxes contained rock cod, herring and snappers, but at the same time—

*By Hon. Mr. Michaud:*

Q. It was not against the law?—A. No, no.

Q. —to catch that fish?—A. I want to add to that that Mr. Eden brought the question up that herring, for instance, when they touch a lead, they break their scales. When they do that they die. If they are injured sufficiently, and

they are injured tremendously by the lead, they die; they are not injured by the lead itself, but when they get into the pot or into the spiller, the herring, pilehards—I do not know, they did not mention them, but they mentioned the herrings—are thrown overboard when they clean and empty the pot. They are dumped over right there. Sometimes they have them taken on a scow out into deeper water, if there is much refuse in the spiller. That is the opinion of the men from the west coast at that meeting.

*By Mr. MacNicol:*

Q. What do the purse seiners do with these fish? Do they dump them over too?—A. A purse seine for one thing does not go to the bottom; it only surrounds the school, but its web never goes to the bottom. While the lead of a trap goes clear to the bottom and everything that comes along goes to the trap. That is why it is reported that red snappers and rock cod get into the trap.

*By Mr. Taylor:*

Q. They are a deep swimming fish?—A. Deep fish.

*By Hon. Mr. Stirling:*

Q. You have Mr. Makie's assertion that these fish were taken in the Sooke traps?—A. Yes.

Q. He makes that assertion?—A. Yes.

Mr. NEILL: Does not the herring season close in February?

Mr. FOUND: The season was closed on the 5th February.

Mr. NEILL: What were they doing catching them in the trap and selling them in May?

Mr. MOYER: It is vague evidence, Mr. Neill.

*By Mr. Telford:*

Q. What is the size of the mesh; it is a wire lead, is it not? (No audible answer).

*By Mr. MacNicol:*

Q. Did you ever fish along where the Sooke traps are?—A. No; I have never been in the area at all.

Q. Did you ever operate a trap?—A. No. The only trap I have seen is the one at Deepwater Bay in the Johnston Strait.

Q. Suppose the department decides that the Sooke traps ought to be taken away, what effect would that have on the fishing elsewhere?—A. Well, the consensus of opinion at our meeting in Vancouver was this, that trolling, seining and gill netting can be carried on very successfully.

Q. At the Sooke?—A. At Sooke.

Q. Would it pay them to do that?—A. Yes.

Q. To try to catch the small proportion of two per cent?—A. This two per cent only represents sockeye. The overwhelming amount that the traps catch is not sockeye at all, but springs, cohoes, and the other fish, very valuable fish.

Q. If the Sooke traps were out of business what would happen to the men living around there?—A. They could go fishing.

Q. Their homes and families would have to be moved away?—A. They could go fishing themselves. I might say there are some trollers at, I think it is Rocky Point—I think that is the name of the place. There are some trollers living there now, but they are not working on the traps. They own their own boats but they go away up to the north end of the island to fish every year, miles away from their homes.

[Mr. George Miller.]

*By Mr. Taylor:*

Q. That is quite customary?—A. That is quite customary; they go from Vancouver and everywhere.

*By Hon. Mr. Michaud:*

Q. They go from the Fraser river up to Smiths Inlet too?—A. Yes, they do.

Q. To try to fish?—A. The same thing would apply, of course, to these men at Sooke, too.

*By Mr. Cameron:*

Q. If the traps were ordered to close at Sooke could the trollers and gill netters fish there at Sooke?—A. They certainly could, yes.

Q. Well, now, I want to be sure of that because a little while ago you said it would be difficult or it is now difficult to carry on the purse seine business there on account of broken piles and that sort of thing, wire, etc.?—A. Yes.

Q. Would not that still be there?—A. That would remain. It might even take a year or two years for fishing actually to become as good as it was in the years gone by in that particular area.

Q. Is it the contention of your association that if the traps were closed the general run of fishermen would be more successful with the other means of taking the fish?—A. Yes, I think that is the contention.

Q. Independent of the Sooke area altogether fishing would still be available to the British Columbia fishermen?—A. Yes, absolutely.

*By Mr. Moyer:*

Q. You said a moment ago the traps as compared with the purse seines catch all the fish because they reach the bottom?—A. Yes.

Q. How deep does a purse seine reach down?—A. I think it is—well, it all depends. They have different strips—

Q. Do you know what the regulations prescribe?—A. Yes.

Q. How deep?—A. I just forget the figures of it now, but I believe it is—I cannot say right now.

Q. For your information the regulations permit the purse seiner to have a seine two hundred fathoms deep?—A. Deep?

Q. Yes.

Mr. REID: Long, not deep.

Mr. MOYER: I take it back.

*By Mr. MacNicol:*

Q. Two hundred fathoms long; have you any idea how deep?—A. I have no idea at all, but I believe the representatives here could tell you. I do know this, that in a water like the Johnston's Straits, which is very deep water, it would be impossible. There is no place where they could reach bottom. They have been known, in certain shallow places, to go in.

Q. You mean that the fish linger on the bottom rather than some distance from the top down?—A. No, but a seine can only fish when the fish themselves school near the surface. A trap does not have to school.

Q. And near the mouth of rivers too?—A. Yes.

*By Mr. MacNicol:*

Q. Perhaps the traps catch fish that the purse-seiners would not catch?—A. They catch everything that comes along that particular channel that they can reach. They get them.

Q. Including the dogs?—A. Including the dogs; everything.

Q. They should be thanked for catching those dogs.



*By Mr. Veniot:*

Q. What is there to prevent purse-seiners and these other people from catching the fish before they reach the traps? Why cannot these fish be caught before they go to the traps?—A. There are probably one or two spots where, I think, they are fished at this moment or during the season, but that particular place at Sooke is suitable for fishing.

Q. Is it the only place along there?—A. For a long distance I believe it is, as far as gill netting and seining are concerned. It is a good place for that type of fishing. Trolling, of course, is carried on below and above that particular place.

*By Mr. Taylor:*

Q. Why do not the seiners and gill netters go into Sooke Bay? That is not being touched by the traps at Sooke, and Sooke Bay is a very rich place for fishing?

Mr. CAMERON: Do the fish go in there?

Mr. TAYLOR: Oh, yes.

The WITNESS: There might be some reason. As far as gill netting is concerned, it might be very shallow or big boulders or other obstructions that would hurt their net. Also the gill net can work more efficiently if there is some tide and the net can drift. It is much more effective. It might be so far inside of the bay there is very little current. The water might be clear. That might have a lot to do with it, although they might have a green stained net to make it as invisible as possible. But it might be impossible in that particular bay.

*By Mr. Taylor:*

Q. You said it was not customary for purse seine boats to anchor. Have you knowledge of the operations around Ocean Falls and out in the waters about five or ten miles away from the Falls where they did some successful purse-seining operations this last year?—A. Yes.

Q. Those boats stayed on the spot and filled their scows again and again for days to my knowledge?—A. Yes. That is quite true. When they school they can stay with them.

Q. The same kind of thing could be done in Sooke?—A. Certainly.

Q. It is virtually the transposition of one class of fishing for another class, is it not?—A. With one exception.

Q. And what is that?—A. The private company has utilized only forty men for this amount of fishing, while with the other type of gear it will utilize from 200 to 300 fishing.

Q. That is your point, is it?—A. Yes, that is my point.

Q. And what amount of capital would be used by these 200 or 300 fishermen?—A. Considerable if each has a boat.

Q. What would you think it would represent roughly?—A. Well, it is hard for me to answer that. Of course, they have their nets to buy.

Q. Each of those fishermen is really a small capitalist, is he not?—A. I don't know—

Q. They are employing their own capital as well as their own muscular effort?—A. Yes, they are very much in the same position as the small farmer.

Q. The small farmer or the small grocer on a corner?—A. In both ways. And we have taken that very question up in connection with compensation—that they cannot receive any compensation if they own their own boat, because they are classed as a contractor or fish merchant. Nevertheless, the factor remains that they buy their nets on the basis of the instalment plan and they are bound to deliver their fish to the cannery from which they get the nets until they are paid for. So it actually links them much closer to the fish merchant—more as an employee and employer.

[Mr. George Miller.]

*By Mr. MacNeill:*

Q. What is the average investment of the purse-seiner?—A. That goes up into money.

*By Mr. Cameron:*

Q. What is an average figure?—A. The boat itself might run anywhere from \$7,000 to \$15,000 alone.

Q. And the net and the seine?—A. I do not know about the seine. I do not know the actual value, but it is considerable too.

*By Mr. MacNicol:*

Q. You pointed out a little while ago that the vast volume of the fish—I do not know whether you said that they swim—I will say that they swim—outside of the nets—the vast portion of the school is outside of the trap in going up the strait. The vast proportion of the fish are swimming in water outside of the trap altogether?—A. Oh, yes. If, say, like the Fraser river inlet?

Q. No, off Sooke there. If the traps only go out for 1,000 or 2,000 feet then the vast proportion of the fish must be outside?—A. Yes, outside altogether.

Q. Why don't the fishermen go out there in large numbers and try to catch a portion of that vast volume of fish?—A. Well, the trollers do. They are the only ones that can. Purse-seining is not possible because the fish do not school outside of the traps—any distance outside of the traps.

*By Mr. MacNeil:*

Q. And there is a swift current?—A. Yes.

*By Mr. MacNicol:*

Q. The evidence here was that the fish were leaving the Sooke to go across to American waters. I was wondering why some attempt is not made to catch those fish outside of the traps.

The CHAIRMAN: There is no doubt that a portion of them are caught.

*By Mr. MacNeil:*

Q. But the traps monopolize the area where they could successfully fish?—A. Yes.

*By Mr. Reid:*

Q. As a matter of fact, they do troll outside of Victoria, do they not?—A. Oh, yes. They troll outside of Victoria and right up, I believe, to Beechy Head.

*By the Chairman:*

Q. What do you know of this Pacific Coast News. I see it is published by the British Columbia Fishermen's Weekly. Does it represent their views?—A. It represents—I would say the paper was got out by the Kyuquot Trollers Association in the first place. That is the fishermen bought shares and established the paper.

Hon. Mr. MICHAUD: That is the way you do it, eh?

The CHAIRMAN: I notice that nearly every organization in British Columbia appears to be opposed to traps according to this paper. Now, the Kyuquot Trollers Association say that the Sooke area is the best place for seine fishing along the shore.

*By Hon. Mr. Michaud:*

Q. Are the workers at the Sooke traps members of your unions?—A. No. I do not think so—not that I know of—not ours anyway, in Vancouver.

Q. They do not belong to your organization anyway?—A. No.

*By Mr. Taylor:*

Q. Do you of your own knowledge know how many fishermen are in the Puget Sound area—purely American fishermen?—A. I only know, of course, as far as the seiners are concerned. Gill netters—I believe there are only two groups of them, one at Skagit, Washington, of 150, and another group—I do not remember where—but I believe there are about 300.

Q. 300 gill netters?—A. Yes.

Q. And what about purse-seiners?—A. Purse-seiners? The only record I have got is what is contained in bulletin No. 35 (a) giving the number of seiners in Washington in 1935 as 215 boats and 1,687 men.

Q. Of course, the Washington rivers—the Skagit, the Nooksack and the Clearwater and other rivers—are all teeming with fish in the fishing season, are they not?—A. Of course, I cannot say very much about that because I do not know about the Washington rivers.

The CHAIRMAN: It is now almost 1 o'clock. Is it the wish of the committee to meet to-morrow morning?

Mr. NEILL: I am agreeable.

Hon. Mr. MICHAUD: Is there anything else you want to know from these men?

Mr. NEILL: Yes; and Mr. Moyer will probably want to know a lot.

Mr. MOYER: I am content to stop here.

Mr. MACNEIL: No. There are a number of questions to be asked.

Mr. CAMERON: When we decided to ask these fishermen to send two witnesses down I thought we were going to pay not only their transportation but their living expenses as well while they were here, and I think we should yet. I have in my hand a report of a committee investigating matters relating to farm implements prices, and that committee furnishes not only counsel and auditors but technical officers, clerks, stenographers and investigators. That is very generous. Now, I say surely we should be prepared at least to pay these two witnesses not only their travelling expenses but their living expenses also. I move that as a motion.

Mr. MACNEIL: And I second that motion.

Mr. MACNICOL: The only trouble would be that on the way down, according to Mr. Coverdale, they purchased their meals very carefully. They restrained themselves from grapefruit and several cups of coffee, but on the way back—

Mr. CAMERON: I do not believe they would do that anyway.

The CHAIRMAN: How would it be if we allowed Mr. Cameron's motion to stand as a notice of motion for the next meeting, and then we can see whether we can come to some satisfactory arrangement.

Mr. MACNICOL: I am not objecting. Mr. Coverdale was showing me how he had to go without one or two breakfasts on the way down and cut down on the dinners.

The committee adjourned.

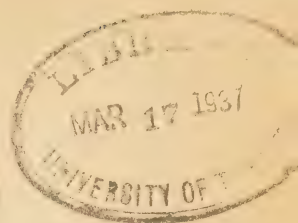


SESSION 1937

HOUSE OF COMMONS

CAI XC 17  
-M12

STANDING COMMITTEE



ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 10

FRIDAY, MARCH 12, 1937

WITNESS:

Mr. George Miller, Vancouver, British Columbia, representing eight fishermen's organizations in that Province.



## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS COMMITTEE ROOM NO. 429.

FRIDAY, March 12, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock, a.m., this day, the Chairman, Mr. MacLean (*Prince*), presiding.

Members of the Committee present:—

*Messieurs*: Brasset, Brooks, Cameron (*Cape Breton North-Victoria*), Feron, Green, Hill, Kinley, MacLean (*Prince*), MacNeil, MacNicol, McDonald (*Souris*), Michaud, Neill, Reid, Stirling, Taylor (*Nanaimo*), Tolmie, Veniot.  
—(18)

*Present as Witnesses*: Mr. George Miller of Vancouver, B.C., and Mr. J. A. Coverdale of Port Alberni, B.C., accredited to represent eight fishermen's organizations of British Columbia, before the Committee.

*Also present*: Mr. L. Clare Moyer, K.C., Barrister, Ottawa, counsel representing the Sooke Fishing and Packing Company, Limited, Sooke Harbour, B.C., Dr. Wm. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

Mr. George Miller recalled:

Witness was questioned to some extent, but was finally allowed to proceed with a continuation of the previous day's statement respecting the views of the organizations the witnesses were representing, after which, he was questioned at length by the Committee as a whole.

It was decided by the Committee that it was not necessary to keep the witnesses longer than this day's meeting. Witnesses discharged.

The Chairman referred to the motion of Mr. Cameron made at yesterday's meeting and allowed to stand. After some discussion the Chairman put the motion as follows:—

Moved by Mr. Cameron (*Cape Breton North-Victoria*),  
Seconded by Mr. MacNeil:

That apart from the transportation and berths already provided, by arrangement with the Canadian National Railways, for Mr. George Miller and Mr. J. A. Coverdale, the expenses for meals en route from Vancouver to Ottawa and return to Vancouver, and the living expenses for these two witnesses while in attendance before the Committee at Ottawa, be paid.

Adopted unanimously.

Mr. Miller thanked the Committee for its courteous hearing.

After further discussion, it was decided to meet again at the call of the Chair.

The Committee adjourned.

E. L. MORRIS,  
*Clerk of the Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS, ROOM 429,

March 12, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock, Mr. MacLean the chairman presided.

The CHAIRMAN: Gentlemen, we are ready to proceed. I suppose Mr. Miller will continue. Before we adjourned yesterday the question of paying these men their out-of-pocket expenses while making this trip was up for discussion—

Mr. MACNICOL: Had not we better finish first?

The CHAIRMAN: Sometimes the attendance is rather small when we finish.

Mr. MOYER: Have we a quorum now?

The CHAIRMAN: Yes, we have ten.

Mr. MACNICOL: I think we had better finish with the witness.

Mr. MOYER: Is the minister one?

Mr. MACNEIL: Yes, he counts in the quorum.

Mr. MACNICOL: Is Mr. Miller ready to go on now?

GEORGE MILLER, recalled.

*By Mr. MacNicol:*

Q. Mr. Miller, I have been thinking over what you said yesterday, particularly in regard to some questions asked by Mr. Tomlinson. He is not here and I have not been able to get him to find out what the question was; but he asked Mr. Miller some question about what he was engaged in at present in British Columbia. I would like to ask Mr. Miller a question: are you a member of the Workers' Unity League?—A. No, I am not.

Q. Have you been?—A. We have. By the affiliation of the former Fishermen's & Cannery Workers Industrial Union the entire organization was an affiliate of the Workers' Unity League.

Q. That is a communist organization, is it not?—A. I do not think so.

Q. Yes it is. The Workers' Unity League is a communist organization. I have here the communist literature of the communist official organ and it refers to the Workers' Unity League. And then I have the evidence of Major General J. H. MacBrien that the Workers' Unity League is a communist organization. Then I have the statement of Mr. James Simpson who was president, I believe, of the Trades and Labour Council of Toronto and ex-mayor of Toronto, in which he states that the Workers' Unity League is under orders from the Red Internationale of Moscow. Now, what I want to try to get at, Mr. Chairman, and with all due respect and courtesy to Mr. Miller—there is nothing personal in my endeavour to find this out—when the matter was brought up, Mr. Miller, to permit representatives from the Fishermens' Unions to give evidence here Mr. Neill referred to your telegram. It was quoted. I presume that when I say your telegram I say that because your name was first on the telegram, and it was addressed to Mr. A. E. MacLean, February 24, Vancouver:—"Since representatives B.C. trap interests appeared before your committee we claim right B.C. fishermen be heard stop fishermens' organizations here have witnesses available who will carry endorsement of following association with combined membership of 1800." It gives the various associations of which your name appears first: George Miller, Pacific Coast

Fishermen's Union, Salmon Purse Seiners Union and so forth. From what you said yesterday it is some nineteen years since you have been actively engaged in fishing outside of two or three days last summer prior to some strike—I am not aware of the strike or any particulars about it—what I am trying to find out is why a fisherman engaged in fishing—a purely competent, practical fisherman was not sent down to this committee to give evidence? What we want to find out here is evidence that will instruct us, evidence given by a practical fisherman—

Mr. CAMERON: Had you not better let the witness answer the question?

Mr. MACNICOL: Wait until I get through.

Mr. CAMERON: I am submitting, Mr. Chairman, that Mr. MacNicol has said: "What I want to get at is why a practical fisherman was not sent down." Now, that is a question; then he goes on to argue.

Mr. MACNICOL: No. I am not arguing.

Mr. CAMERON: I submit the witness should be permitted to answer your question.

Mr. MACNICOL: Mr. Chairman, I do not appreciate the hon. gentleman's interruption along that line, and I will continue from where I left off.

Mr. CAMERON: Perhaps the honourable member knows as well as I do that his method of examining this witness is irregular. The appreciation is mutual.

The CHAIRMAN: If Mr. MacNicol could put his question into better form it would help the committee.

Mr. MACNICOL: I was trying to find out why we have not a practical fisherman here; that is one who is engaged in the fishery business and has been working at it right along.

The WITNESS: Mr. Chairman, I think I explained yesterday that at the meeting in Vancouver where we were both nominated and agreed upon to be sent down that the representatives of six fishermen's organizations were present—the officials of six fishermen's organizations, and I myself, I think I stated yesterday in my evidence—I myself nominated first Mr. Larum of the Kyuquot Trollers Association. He could not go because of the work he is engaged in, getting the camps and one thing and another ready for fishing this year. Chris Eden was nominated by the North Island Co-operative and he could not go either. Then there was Mr. Rolley from the Fraser Fishermen's Organization, he was nominated and could not go, and then it boiled down if I could go, and I said, "Yes, I can certainly go." Outside of getting anyone else the Committee decided I should go, and they instructed me from that meeting on what evidence I was to put forward as to the collective opinion of the delegates of that meeting to this committee—not my own personal opinion—and even if we had sent a lawyer we would have felt that the opinions of the Fishermen's organizations would have been conveyed to this committee just as though he had never seen a fish in his life.

Mr. MACNICOL: There are too many lawyers here now; we want a fisherman.

*By Mr. Reid:*

Q. Was the New Westminster organization represented?—A. Yes, the New Westminster organization was represented. Their name is on the credentials. The credentials will show the representatives of that organization that were present at that meeting.

Q. Who were present?—A. Mr. Grey and Mr.—the president of the organization.

[Mr. George Miller.]



*By Mr. Neill:*

Q. Was Mr. Larum present?—A. Yes.

Mr. NEILL: The minister knows Mr. Larum. He knows that he is the head of a first class fishermen's organization.

*By Mr. MacNicol:*

Q. Was Mr. Pederson present?—A. No, he was not.

Q. He sent a telegram here?—A. Yes.

Q. His telegram looked to me like a telegram from a practical man.—  
A. Our meeting was finished and over with before we received notification that he had sent such a telegram. I might also say that Mr. Larum was the man who recommended that Mr. Coverdale be sent down because he had practical experience around the Sooke traps.

Q. Nineteen years ago?—A. Yes.

Mr. MacNICOL: We want somebody who is working on the Sooke traps to-day, who can tell us what they are like, what they are doing, and all about it.

*By Mr. Taylor:*

Q. How many were at this meeting, Mr. Miller?—A. Eight, I think, were present.

Q. They were delegates, were they?—A. Yes, they were delegates.

Q. Delegates to the meeting?—A. Yes.

*By Mr. MacNicol:*

Q. Were they practical fishermen?—A. All of them.

Q. You are not a practical fisherman. Were the rest all like you?—A. Well, with the exception of myself, they were all practical fishermen. That is, they had fished.

*By Mr. MacNeil:*

Q. You stated yesterday that you had had sufficient experience in fishing to call yourself a practical fisherman?—A. Yes.

Q. You had knowledge equivalent to that of any of the men that were present?—A. Yes.

Mr. TAYLOR: He could not have had.

Mr. MacNICOL: He said yesterday he had.

Hon. Mr. MICHAUD: I think that is a matter for the committee to determine, in view of the statements made—as to the weight of the evidence.

The CHAIRMAN: I think he should be allowed to go on now and complete his statement.

Mr. MacNICOL: That is all I wanted to show. I just wanted to identify the Workers' Unity League.

Mr. MacNEIL: I fail to see where this matter is relevant to the matter under inquiry. The witness is not being examined as to his political affiliations or political views. I think Mr. MacNicol must agree that the conduct of the witness has been such as not to warrant the several attempts that have been made to discredit this man.

Mr. NEILL: Quite so.

Mr. MOYER: Mr. Neill asked Mr. Goodrich what his views were on capitalism and public ownership. That was just about as relevant.

Mr. NEILL: Not on capitalism.

Mr. MacNICOL: I am not going to be put in the position of being for or against either side. I have not committed myself either way. I am trying to obtain information. All my life time I have been in favour of talking to practical men and getting to know what they are talking about.

Mr. NEILL: Mr. Chairman, we agreed to accept this man as the representative of these people. They made their choice. Why rake it all over again to try to find something to prejudice us. These people have got to go home to-day. Let us get on. When he begins to talk communism it will be time enough to do that.

Hon. Mr. MICHAUD: We all have work to do. Let us get ahead.

*By the Chairman:*

Q. Mr. Miller, I just forget where you left off yesterday, but you can go on and finish.—A. Mr. Chairman, I have a few points here that I would like to bring forward, which will only take me a few minutes and then I will be through as far as the instructions I have received are concerned. One point was that the pack, the 1935 pack, the total of the Sooke traps, amounted to approximately 546,000 fish.

*By Mr. Neill:*

Q. In what year?—A. 1935.

Q. Yes?—A. The total pack. In tracing out the effects that traps would have on the fishermen, it works out that with these forty men that worked on the traps, approximately forty men, they had actually produced something in the neighbourhood of 13,650 fish each. If this was carried through—that is, if traps were installed throughout the industry and were able to handle the entire pack, 1,600 men could actually have taken the entire pack of British Columbia. In 1935 there were over 10,000 fishermen employed. At that rate 9,000 would have been eliminated out of the industry. I am only making this point to show the danger of traps, and the light in which we look upon traps in British Columbia. We know that traps can be installed in very much more favourable places than the Sooke area, to take fish in that manner. Traps could be installed in British Columbia which would easily eliminate 5,000 to 6,000 fishermen out of the industry entirely. I want to refer to page 38 of the regulations, number 13 and 14, where it states the distance between traps.

*By Mr. Neill:*

Q. Page 38 of the act, is it not?—A. Of the act.

Q. Of the Fisheries Act?—A. Of the Fisheries Act.

Q. What section?—A. On page 38, number 13, the distance of nets apart is the heading, and under that it says,—

All stationary nets, or other stationary appliances for the capture of salmon, shall be placed at distances of not less than two hundred and fifty yards apart, without intermediate fishing nets or appliances of any kind being set or used.

The question was asked yesterday why fishermen did not troll or set their nets between these traps. This act here, of course, forbids it; and the following paragraph, number 14, says this:—

Any fishery officer may direct, either in writing or orally on sight, that a greater space than hundred and fifty yards shall be left between stationary salmon nets or other stationary fishing apparatus.

This is very likely one of the reasons why the fishermen have not fished between the stationary nets in the Sooke area.

[Mr. George Miller.]

*By Mr. Taylor:*

Q. I would not think so, Mr. Miller, because if they are to be two hundred and fifty yards apart and the distance is a mile and a half between the traps, there is all the spread between two hundred and fifty yards from each trap and the mile and a half in which they can conduct their fishing operations?—  
A. Yes, there is.

Q. All right, then. Why should you try to make the point?—A. But the point is that the regulations also place it within the power of the fishery officer that he can extend that distance from trap to trap if he likes.

Q. Yes, I can understand that, in view of perhaps only fifty or one hundred yards being in the area, the unused area, but not in the case of a mile and a half such as you have in some of the Sooke traps.

Mr. MOYER: As a matter of fact, Mr. Coverdale said yesterday that between two traps that he specified there was a distance of five miles.

The WITNESS: But the act does not specify that the officer is curtailed in the distance he can give. He can give any distance that he sees fit.

*By Mr. Taylor:*

Q. Well, we look upon the Minister of Fisheries as being a man who uses considerable common sense; and you are implying now that he is capable of doing something else.—A. I am not referring to the minister. I am referring to the fishery officer that is in charge in Sooke at that particular time.

Q. Of course, he obeys the instructions of his superiors.

*By Hon. Mr. Michaud:*

Q. Have you any information—

Mr. NEILL: Section 13 says there must not be any intermediate fishing nets or appliances of any kind.

Mr. MICHAUD: Mr. Miller—

Mr. NEILL: It does not matter whether it is a mile and a half.

The CHAIRMAN: Order.

*By Hon. Mr. Michaud:*

Q. Mr. Miller, has it been brought to your attention that the fishery officer at Sooke ever did prevent or annoy any individual fisherman who attempted to fish in the places outside the two hundred and fifty yards?—A. No, not to my knowledge.

Mr. NEILL: The section says that there must not be any intermediate fishing nets between the traps. That is section 13, page 28 of the act.

Mr. TAYLOR: I just pointed out what it means.

The CHAIRMAN: Yes.

Mr. NEILL: No intermediate nets or appliances of any kind being set or used between the traps.

The CHAIRMAN: I think that is quite clear, that any other fishing between those traps is prohibited.

Mr. FOUND: Mr. Chairman, will you let me explain?

Hon. Mr. MICHAUD: That statement of the chairman is not altogether in accordance with the proper interpretation that has so far been placed on the section of the act.

Mr. TAYLOR: Have I correctly interpreted the section as read by Mr. Miller?

Mr. REID: Let Dr. Found explain it.



Mr. FOUND: The section of the act, Mr. Chairman, is a very old section that was devised to meet a situation obtaining on the Atlantic coast, with which Atlantic members will all be familiar, where in many instances so-called salmon traps are set along the coast at very close intervals. The act provides there for a minimum distance between traps, and as there may be exceptional conditions, gives the local officer power to regulate a greater distance, and gives these traps the protection that that small limitation gives. Certainly, there may be a weakness in our regulations, technically; but if you will refer to the fishery regulations in British Columbia, you will see,—it was specifically drawn to my attention, that this act, section 34 of the act, gives the Governor General power to make regulations that will have the full force and effect of law so long as these regulations do not set aside any provisions of the act.

Mr. NEILL: Quite so.

Mr. FOUND: This does not set aside any provision of the act, in that it makes greater, the distance, so far as the traps are concerned. It was intended to deal with that particular situation and that situation alone. I know of no instances where this question—that Mr. Miller—I think all will agree he gave very clear cut evidence, but I know of no instance where the inference that he is making would be justified. I know of no instance that has come to the attention of the department when anybody attempted to fish between traps, with the long distance that does obtain there, and was prevented from doing it. Theroetically his argument is sound.

Mr. KINLEY: Mr. Chairman, will you read that portion of the act that Mr. Neill just read?

Mr. NEILL: Without intermediate fishing nets or appliances.

Mr. KINLEY: Make it obligatory that there shall be no fishing between traps, notwithstanding the distance.

Mr. FOUND: I say theoretically the argument may be sound. It was never intended to apply to that; and the regulation so far as British Columbia is concerned deals specifically with traps, and provides the distance so far as traps are concerned in British Columbia.

Mr. NEILL: A greater distance.

Mr. KINLEY: There is no theory about it. It is a written law; provide it in the law.

The CHAIRMAN: Section 13 states:—

All stationary nets, or other stationary appliances for the capture of salmon, shall be placed at distances of not less than two hundred and fifty yards apart,—this is the important point—without intermediate fishing nets or appliances of any kind being set or used.

Mr. KINLEY: That is clear.

The CHAIRMAN: To my mind it is absolutely clear.

Mr. FOUND: The point I make is this, that that section of the act might contain some weakness insofar as our regulations are concerned, but as I have already pointed out that regulation was never intended to apply there. That section was placed in the act long before there was any trap in use in British Columbia, and the regulations deal with that; and my question is, has the witness any knowledge at any time of anybody having been prevented from fishing between traps?

Mr. TAYLOR: He says no.

Hon. Mr. MICHAUD: The law is clear—you have reference to section 13.

Mr. NEILL: The fact that the law has not been broken does not prove that the law is sound. That is all he is trying to prove.

Hon. Mr. MICHAUD: We are not following the same line of argument at all. It is section 13 of the act that you have reference to?

Mr. NEILL: Yes, section 13 of the act.

Hon. Mr. MICHAUD: Yes. Well, it is not contradictory to what Mr. Miller has been saying nor to what we have been arguing.

Mr. NEILL: It has been contradicted.

Hon. Mr. MICHAUD: No, it has not.

Mr. NEILL: Mr. Found says it is weak, what does that mean? Theoretically he says it is the law, but the fact that it has never been broken does not prove that it is the law. Of course it has not been broken. I would not go in there to fish because I know that regulation is there.

Mr. TAYLOR: You say that a man can be fined for that?

Hon. Mr. MICHAUD: If he sets nets within the two hundred and fifty yard limit.

Mr. NEILL: Oh no, it says no fishing nets of any kind can be set up between two traps.

Hon. Mr. MICHAUD: Where is that stated?

Mr. NEILL: That is the essential provision of section 13.

Hon. Mr. MICHAUD: The section provides: "all stationary nets, or other stationary appliances for the capture of salmon shall be placed at distances of not less than two hundred and fifty yards apart—

Mr. KINLEY: That is the minimum.

Hon. Mr. MICHAUD: —without intermediate fishing nets or appliances of any kind being set or used." "Intermediate"—that means between the two.

Mr. NEILL: That means between the traps.

Hon. Mr. MICHAUD: No, that means between the two limits of two hundred and fifty yards.

Mr. NEILL: "Intermediate" means between two things, and in this case it must mean between traps, there must be at least two hundred and fifty yards between traps or nets.

Hon. Mr. MICHAUD: Perhaps that is the right way of reading it.

Mr. KINLEY: I suppose what the witness desires to establish is this, that if you have ten miles between traps no fishing would be permitted between those traps. I think that is the thing which he wishes to establish as being under that provision of the act. I know that our fishermen regard that as the law.

The WITNESS: Yes.

Mr. NEILL: And they do not go there to fish.

The WITNESS: That is the way in which I myself would interpret it.

*By Mr. Neill:*

Q. Do the fishermen go in there to fish, in the areas between the traps?—A. In reply to that I would say that there is no other fishing being carried on there at the present time.

Q. And is that because the fishermen regard that as the law?—A. Partly, and partly—

Q. And partly because there is no fish?—A. Yes.

*By Mr. Moyer:*

Q. You know as a fact that no trollers ever go between traps on the Sooke coast?—A. There was only the one instance I believe, that of the troller which went in there and caught \$600 worth of fish in the early spring. Aside from that there was no fishing of any kind.

Q. You have said they never go in there, do you know that?—A. I am only going by the evidence presented to me.

Mr. TAYLOR: Let's take this matter which has been under discussion and suppose there had been a trap at Beechy Head and another one at Sombrio Point, 30 miles away, would you understand that there would not be any fishing in between?

Mr. NEILL: We are dealing with facts, not theories.

Mr. TAYLOR: Exactly. I am dealing with facts. Let us take two traps, one at Beechy Head, and one five miles away: would it mean that there could be no fishing between these two traps? That is *reductio ad absurdum*.

Hon. Mr. MICHAUD: I want to read that again. Mr. Cameron is here, and I do not want it to go on record that we are trying to give a false interpretation to a section of the Fisheries Act, or that we are not administering it according to law.

Mr. CAMERON: Your deputy seemed to differ.

Hon. Mr. MICHAUD: No, he does not.

The CHAIRMAN: Perhaps he was mistaken.

Hon. Mr. MICHAUD: I don't think so. The section reads:—

All stationary nets, or other stationary appliances for the capture of salmon, shall be placed at distances of not less than two hundred and fifty yards apart, without intermediate fishing nets or appliances of any kind being set or used.

"Not less than"; that is, there must be at least two hundred and fifty yards between two stationary nets or appliances.

Mr. CAMERON: Yes, I agree with that.

Hon. Mr. MICHAUD: "Without intermediate fishing nets or appliances of any kind being used or set"—"used or set"—

Mr. NEILL: What does "intermediate" mean?

Hon. Mr. MICHAUD: It means the difference between the two stationary nets.

Mr. CAMERON: Supposing two stationary nets were 700 yards apart?

Hon. Mr. MICHAUD: That would be all right. In this case they are required to be 250 yards apart.

Mr. CAMERON: But supposing they were 700 yards apart?

Hon. Mr. MICHAUD: Then there would be about 500 yards of a distance in which they could fish with appliances.

Mr. NEILL: As a matter of fact it is 800 yards under the B.C. regulations.

Mr. FOUND: It is 400 fathoms, that is right.

Mr. NEILL: "Intermediate" surely means "between two things". Here is one trap and here is another (indicating). That term "intermediate" must mean the distance between the two.

Mr. CAMERON: The minister is a lawyer and he knows very well that one cannot take one section of an act and attempt to interpret it by itself, the whole act must be taken into consideration in arriving at an interpretation.

Mr. FOUND: British Columbia members of the committee who are familiar with the situation—now, I do not want to impose my views on the committee, and if I am out of order I hope the chairman will tell me so—I suppose a great many people would be in jail if every section of every law were read absolutely literally. Matters of this kind are things which develop through practice over a run of years, and we have the further fact to consider that there are two coasts on the continent and it is sometimes necessary to have some things over-looked when you are dealing with other things. This provision is a very old provision, and a necessary one that is well suited to the Atlantic coast and



has been in operation there. On the Pacific coast the question has been before us on different occasions, as to whether or not the same regulations should be allowed, or as to whether a new regulation should not be included that would enable fishing as it is allowed on the coast, such as between traps.

Mr. NEILL: Let us get on, Mr. Chairman; we want to hear what the witness has to say.

The WITNESS: Then, the remaining point that I wish to bring out is to support the argument that the elimination of traps would result not only in greater employment but would also be a good conservation policy. The evidence presented to both federal and provincial authorities has been that the abolition of traps would mean increased employment. A letter that has been received from the British Columbia commissioner of fisheries, who is also Minister of Labour, advocating caution, that is the only expression from the provincial authorities on the trap question and is a wholly one-sided report. The amendments I believe are outlined in the submission by the Department of Fisheries and I believe it is proposed that these regulations shall be put into effect on the Skeena river this year, and it is even possible that they will result in the complete closing down of that area, and if that is the case it is going to affect a large number of fishermen who have been fishing in that area entirely, and of course we are certainly concerned there. If these traps are again installed it will certainly keep before the American trap interests the fact that Canada has not taken their traps out. Then, in connection with the statement made by Mr. Hanson, I believe that if trap licences were going to be issued in the Sooke area he should be given an equal right to apply for a trap licence, and so should anyone else in British Columbia. At this point I would like to refer to the act again, at page 27, subsection 5: "A salmon trap net shall be located on a definite site, specified in the licence, and shall be at least four hundred fathoms distant from the nearest adjacent trap net. The mesh of such trap net shall not be less than six inches, extension measure in the leader or lead, nor more than two inches, extension measure, in the heart, crib or pot."

In addition to that there is in the act itself, in section 7, this further provision: "The Minister may, in his absolute discretion where ever the exclusive right of fishing does not already exist by law, issue or authorize to be issued, leases and licences for fisheries and/or fishing, wheresoever situate or carried on; but except as hereinafter provided, leases or licences for any term exceeding nine years shall be issued only under authority of the Governor General in Council." Now, the point I want to make is this: that in the event of licences being granted in the Sooke trap area I would imagine the minister would be in a very difficult position if two or three other operators in British Columbia were to make application for licences in their areas. True, in the discussion in this committee at page 206, the minister does make reference to this particular thing, and we know that discretion certainly will be utilized in respect to the issue of trap licences, but in the opinion of the fishermen the department will be placed in a very difficult position when it issues a special privilege to one company in allowing it to hold onto a trap site in British Columbia—the minister will certainly be faced with demands by other companies seeking trap licence sites. We also have in mind the fact that two years hence the question of trap licences again will very likely be before the legislature of the State of Washington, and the fact that trap licences have again been issued at Sooke will be their argument for the same thing across the line.

*By Mr. Taylor:*

Q. The statement you make is that it has been used as an argument?—A. It certainly has, in the State of Washington.

Mr. TAYLOR: But their fishing is entirely different from the British Columbia fishing. They have their own fishing interests and their own fishing troubles, they will have enough to do to look after their own troubles without worrying about British Columbia.

Mr. NEILL: That is not the question.

Mr. TAYLOR: Oh, go ahead.

The WITNESS: The other point I wanted to make was this; that not only are the fishermen themselves opposed to the issuing of further trap licences in British Columbia, but also the sport fishermen of British Columbia. I think their views are pretty much the same as ours, and this is shown by the petitions which were signed by them as well as ourselves and sent down here from British Columbia. I would like to refer to the fact that on one of the lists you will find at the beginning of the signatures that three of the names are those of men who give their occupations as, one a salesman, one an aviator, and one something else—I forget just what. Notwithstanding that I want to assure the committee that the overwhelming majority of the names on these lists were the signatures of fishermen. We have this petition before us. We had two copies in our hall in Vancouver, and two copies were sent to the Upper Fraser Fishermen's Association, and two copies were sent to the B.C. Fishermen's Protective Association at New Westminster; and the signatures obtained were almost wholly those of fishermen, and they are included in the 1,800 names that were submitted.

*By Mr. Neill:*

Q. What class of fish would the sportsmen use?—A. The sport fishing would take spring salmon and cohoes largely. There is a lot of this sport fishing and a lot of places has been built up like Campbell river, and it has developed into quite a summer resort because of the sport fishing that is available there. They fish for the bluebacks, the cohoes, the spring salmon and the tyees. The spring salmon fishing seems capable of development, but it has not gone ahead to quite the same extent in other places, although it is growing around Victoria and so on. And of course these traps are instruments that are taking a tremendous amount of spring salmon and cohoes.

Mr. NEILL: Yes.

Mr. TAYLOR: Just the same as the purse seiners.

The WITNESS: Not to the same extent.

Mr. TAYLOR: Oh!

The WITNESS: But not to the same extent. Another thing, of course, is that the purse seiners employ a great many more men in the industry in comparison than do the traps, in proportion to the volume of catch taken by both traps and gear. I think, Mr. Chairman, that is all I have to submit my way of report.

*By Mr. MacNeil:*

Q. What is the opinion of the fishermen with regard to the statement that during the season of 1936 there was an extraordinary movement of fish, particularly sockeye, around the northern part of the island and that that accounted for the large percentage of the Canadian catch as compared to the American—or, to the pack?—A. From all the opinions I have heard expressed there was undoubtedly a tremendous amount of the run that went down through the Johnstone Strait area. And then there is another point,

[Mr. George Miller.]

I believe that both with respect to Puget Sound and Johnstone Strait the fish were travelling faster than in any previous year. I believe Mr. Brennan refers to that in his report, and he also states that the fish were travelling very fast in the two runs, through Puget Sound on the one hand and Johnstone Strait on the other.

*By Mr. Reid:*

Q. Would you agree with the American report on that? It reads:—

There have been some reports that the bulk of the run came through Johnstone and down the inside waters of Vancouver Island. This report is not verified by an analysis of the run through American waters. An analysis of the return per unit of fishing effort reveals that this year's run was considerably larger than last year's, although less fish were caught. A comparison of the time of the peaks between the Fraser river and the Salmon banks indicates a close correlation. There is no question that a run did come from the north but there is no evidence of a greater increase in this run in proportion to the increase in the run through American waters.

What would you say to that American statement?—A. I would say that I think that part of that analysis in this regard is based on the fact that the fish did travel faster through American waters, and the purse seiners did not get a chance to fish them; consequently of course, they came through. The same applies I know to the Johnstone Straits, that the fish did travel very fast.

*By Mr. Moyer:*

Q. Are you aware of the fact that the Sooke traps took less fish in 1936, on the average, a lot less than the previous year?—A. Only, of course, from the reports contained in the Minutes of this committee that I have been reading up since coming here.

*By Hon. Mr. Michaud:*

Q. You were not given any instructions as to the explanation of the situation?—A. No.

*By Mr. Taylor:*

Q. You say that the purse seiners and the gill netters work together quite amicably, don't you?—A. As far as the fishing is concerned.

Q. And they fish on the same grounds frequently?—A. Frequently they do.

Q. And it takes more gill netters to catch a fish than it does purse seiners to catch a fish? The catch of ten men in a purse seine is infinitely larger than the catch of ten with gill nets?—A. It depends. You would have to take the entire catch for the year.

Q. You would have to take the entire catch for the year. Are the purse seines more effective in catching fish than the gill nets?—A. I don't know. I don't know just exactly how to answer that question because we have no figures on that. We know the purse seine is a very effective means of taking fish, providing the fish are schooling, and they have to put in long hours and long days waiting for them to school. The gill net fishermen can fish night and day during the weekly period, especially in the river.

Q. Is it not true the gill net is not as effective as the purse seine?

MR. KINLEY: There is a big element of luck in purse seining; is that not so?

THE WITNESS: Absolutely.

THE CHAIRMAN: It is to be expected, Mr. Taylor, that purse seining would be more effective because it is a much more expensive way; and it is only a man with capital that can use purse seines; whereas the ordinary fisherman can use gill nets.



*By Mr. Taylor:*

Q. I want to discover why Mr. Miller is advancing the argument that the traps using less men catch more fish, when he has already argued that the two methods of catching fish which have their differences in the number of men employed—

The CHAIRMAN: It is the same as in any other industry, the higher you go up in the scale of equipment—

Mr. TAYLOR: It is a question then whether we ought to penalize the fishing industry when we do not penalize the grocery industry or any other industry that employs increased efficiency in their methods of conducting business.

Mr. REID: Mr. Chairman, if you carry that argument to its logical conclusion you could then argue that the gill netter is detrimental to the man with a fishing line, because the man with a single line is only catching a single fish. My objection to the trap is this: it is the most destructive form of fishing because it catches everything. I shall have something to say about purse seining later on because Mr. Miller knows I am against purse seining in the Fraser river estuary, and so is the gill netter on the Fraser river. I am just merely saying that if we carry Mr. Taylor's argument to its logical conclusion we will argue that the gill net was a detriment to the man with a single line.

Hon. Mr. MICHAUD: Then, you would be arguing to do away with the purse seine.

Mr. REID: Yes, in regard to Fraser river fishing.

Mr. NEILL: The purse seine is not before the court to-day, not on trial.

*By Mr. Neill:*

Q. Mr. Miller, I should like to draw your attention to page 121 of the Minutes of Proceedings and Evidence. There is a statement there by the Pacific Coast Fishermen's Union. Do you know them?—A. Yes.

Q. Are you connected with them?—A. They occupy office space in the same hall as we do.

*By Hon. Mr. Michaud:*

Q. Are you connected with them?—A. We are affiliated through the American Federation of Labour exactly—

Q. You get your charter from the other side?—A. Yes.

Q. To make it clear, there was a telegram placed before the committee yesterday which came from some fishermen's organization, local 44, I forget the exact name—A. Mr. Guest.

Q. Local 44, that is on Vancouver Island or in the Fraser river?—A. No, it is in Vancouver.

Q. Do they include the membership of the Fraser river as well?—A. No.

Q. Just Vancouver?—A. They are mostly halibut men.

Q. Not the Boat Owners, the other organization?—A. The Boat Owners is a separate organization; they own the boats, the halibut boats. The United Fishermen's Federal Union, which is composed of—a majority of the membership are men that work on halibut boats. There are some purse seiners amongst them.

*By Hon. Mr. Michaud:*

Q. Is Mr. Guest a purse seiner?—A. Mr. Guest is the secretary of the organization.

Q. Is he not a purse seiner?—A. To my knowledge he has not fished for two years; practically in the same position as myself. He is an executive officer of the Union, and is unable to fish and hold office at the same time.

Q. Do you know if Mr. Guest's organization, the organization of which he is secretary, called local 44, has a Canadian charter?—A. Yes; that is where the number comes from, number 44, Federal Charter, issued by the Trades and Labour Congress of Canada.

Q. Do you know of any other fishermen's organization on the Pacific Coast that is affiliated with the Trades and Labour Council?—A. Yes, the Amalgamated Japanese Fishermen's Union with headquarters at Steveston; also I believe that there is one federal union in Prince Rupert. I do not know—it is a fishermen's—what the exact name is, unless it is the Deepsea Fishermen's Union. I believe that is it.

*By Mr. Neill:*

Q. On page 121 that I referred you to a moment ago there is a statement put in by this association and I wish to put these figures on record and ask your approval or disapproval of them. It says the B.C. catch of sockeye in 1934 was 139,238. Have you those figures?—A. Yes.

Q. The 1936 catch was 179,808. Have you those figures?—A. Yes.

Q. That, you will see, is a large increase, is it not?—A. It is.

Q. Now, the Washington catch for the same period 1934, was according to these figures, 352,579. Have you got that?—A. Yes.

Q. In 1936 it was only 42,894. If you add the totals together it shows that in 1936 the total catch in British Columbia, the Fraser and Puget Sound, was 222,702 cases and in 1934 it was 491,817. Now what I want to ask you is this: do these figures not show this, first of all an enormous decrease in the total catch in 1936 as compared with 1934 and also a large decrease in the catch on the other side of the line? I ask you if the one increase does not make for employment and if the other does not make for conservation, which we are very badly in need of?—A. Yes.

Q. Are these figures correct?—A. They are correct because I believe they are from the government department.

Q. You agree with them?—A. Yes.

Q. You said that the unemployment situation will be helped by the fact that we need a lot more men to catch the same number of fish if the traps were abolished, and conservation would be helped by the fact that the total catch would be a great deal less?—A. Yes.

*By the Chairman:*

Q. Was that at the expense of the American fishermen?—A. I would say this, because of this I believe the fishermen of the Fraser river especially did better in 1936 than they had done previously for many years. It will keep a large number off relief this year; whereas in other years the majority were on relief.

*By Hon. Mr. Tolmie:*

Q. I should like to ask the witness this: are you of the opinion, sir, that the conservation of these fish can be thoroughly controlled by government regulation of the time of fishing and the use of appliances and so forth?—A. I am in two ways, first on the question of fishing itself; that is, the intensity of fishing or the number of boats, as it were. I believe that a tremendous improvement in conservation can be made actually in the Fraser river system, that is referring to sockeye. I believe more improvement can be done there to increase conservation in regard to runs of fish than by the actual cutting down of the number of boats fishing and so on. That is my opinion on the study that I have made in connection with the conservation.

*By Mr. MacNeil:*

Q. Speaking with regard to the question of employment, would not the abolition of the traps in Sooke improve the employment situation to a still greater degree?—A. Yes, it certainly would.

*By Mr. Taylor:*

Q. That is your opinion?—A. Yes.

*By Mr. MacNeil:*

Q. Is that not the opinion of your organization?—A. Yes.

Q. Has it not been in the knowledge of the fishermen that if the traps at Sooke were closed it would assure the fish from the American waters reaching the mouth of the Fraser?—A. Of course, I do not know whether the figures can be got, but there is a report that the fish after they leave Sooke, reach across to the American waters. Well, possibly they do, but nevertheless if we are going to deal with the question of sockeye I do not think we have a kick coming because of what the traps decide to do on the American side; we should not consider as an argument the amount of fish that have been in shore as lost entirely from Sooke because they come into the Fraser river.

Q. Do not the operations at Sooke prevent the fish escaping from Sooke and reaching our fishermen on the Fraser?—A. Yes; but I believe the figures quoted show there were quite a number caught in American waters too.

Mr. TAYLOR: I should like to have that matter threshed right out. Has the Deputy Minister anything to say?

Mr. FOUND: I quoted the figures, Mr. Chairman, on the first day. The committee may recollect them.

Mr. CAMERON: We should like to have the record now.

Mr. FOUND: Over 89 per cent of the tagged fish that were recaught were recaught on the American side.

Mr. TAYLOR: This is one thing we should discover. We should go into the matter because I am not satisfied that the fish that pass the Sooke traps are necessarily for the Fraser river. There are a great many rivers on the American side in Puget Sound, and these rivers are filled with fish; the fish passing through Juan de Fuca is not necessarily making his way to the Fraser river. He has other places to go to.

Mr. REID: Can you name any?

Mr. TAYLOR: Noosack, Clearwater, Skagit.

Mr. NEILL: Sockeyes go to these rivers?

Mr. TAYLOR: To all these rivers.

Mr. NEILL: In Puget Sound?

Mr. TAYLOR: In Puget Sound.

Mr. NEILL: You do not know what you are talking about. Ask the deputy.

Mr. FOUND: I think that is right; the rivers are very small.

*By Mr. Kinley:*

Q. I suppose the idea of having these traps is to catch cheaper fish than they otherwise would get? Is that true?—A. Well, I think in answer to that the figures that I quoted on the production per man is an answer to the question, 13,500 fish per man by that method of taking fish.

Q. Then, you say this method is used for the purpose of catching cheaper fish?—A. Absolutely.

[Mr. George Miller]



Q. Do you think that that cheaper fish is produced by reason of the decreased labour costs. Is there any other element than decreased labour costs that enters into the catching of cheaper fish?—A. I do not think so; I think the labour cost is—

Q. That is the thing he wants to overcome?—A. He wants to overcome.

Mr. NEILL: And make more money.

*By Mr. Kinley:*

Q. Therefore he is in an advantageous position as regards the comparison with other fishermen in the province of British Columbia?—A. And with other salmon operators, too.

Q. By having the privilege of these traps?—A. Yes, right.

*By Mr. Neill:*

Q. Is there anything to show that while he catches this fish cheaper by these methods that he sells them cheaper?—A. No.

Mr. KINLEY: You would not expect him to do that.

*By Mr. MacNicol:*

Q. You said a moment ago that each man caught 13,500 fish on an average?—A. Rough figures.

Q. Each man that works on a trap?—A. Yes.

Q. Catches an equivalent of 13,500 fish?—A. Yes.

Q. Per season?—A. That is based on the reported figures from the 1936 catch.

Mr. NEILL: 1935.

The WITNESS: 1935.

*By Mr. MacNicol:*

Q. That includes other kinds of fish?—A. The entire production.

Mr. KINLEY: Of salmon.

*By Mr. MacNeil:*

Q. Mr. Miller, will you inform the committee of the extent to which the fishermen's associations study the question of methods of conservation?—A. Yes, I could—that is during 1935, the whole of 1935, when the discussion took place on the International Sockeye Treaty, I think I am quite safe in saying that the organization on the mainland certainly made very full investigation and had considerable discussion with the American delegates that came across on the question of conservation and the Fraser river pack.

Q. Have you not, throughout the years, given the department every co-operation in enforcing methods of conservation?—A. To the best of our ability. In fact, we carry on education in our own organization on methods of how our union members, as a union principle, should obey all regulations put forward by the department that are actually submitted to us for our approval, before they are even passed. That is not our own organization alone but every organization receives these suggested amendments to the regulations and every organization reports their findings on how they feel towards them.

Q. You realize that your livelihood depends upon it?—A. Yes.

Q. And your chief objection to traps is because they violate the well-known principles of conservation?—A. Yes, it does.

Q. In that regard may I ask the effect of the close season regulations as applied to the traps as compared with their application to the gill nets and purse-seiners?—A. Well, the close season—for instance, the trap takes as a piece of gear—it takes several species of fish at one and the same time, the purse seine does also, but probably not to the same extent; but how regulations could be issued, for instance, to close an area on sockeye—it would be impossible for a trap to keep fishing and keep sockeye out of the trap—how regulations could be applied to a trap is beyond me. It could not be done unless the entire trap would be shut down which would deprive it of fishing other species of fish because they take them together at one and the same time.

Q. So that when the gill netters are prevented from fishing sockeye, the traps do?—A. They are fishing because there are spring salmon and cohoes.

Q. And they get the sockeye at the same time?—A. Yes, they get the sockeye at the same time.

Q. During this forty-eight hour closed period—or fifty-six hours, whatever it is—what is the opinion of the fishermen: are the fish not intercepted in such a way as to enter the trap when open? A statement was made to that effect?—A. I believe my partner referred to that. If the trap is closed and the apron is down, there is no doubt there is a considerable number of fish in that period that will congregate and hang around in that particular eddy because of the projection of the trap out and because they have a tendency to remain in that particular area. I believe a considerable amount of fish would remain there.

MR. TAYLOR: This is a matter of opinion again. Before Mr. Neill proceeds, I want to settle this idea that I do not know what I am talking about. I want Mr. Neill to show me that I do not know what I am talking about when I say that there are fish running in these rivers in Puget Sound. I know this that the largest cannery in the world is situated at Bellingham with 12,000 boxes a day capacity, and they do not get them from the Fraser river. Will you answer that, Mr. Neill?

MR. NEILL: With the greatest of pleasure. I will ask Mr. Found this question: are the spawning beds of the sockeye salmon on Puget Sound? Do not the fish come up from there into the Fraser river?

MR. FOUND: Except to a very very small extent. There are a few in the small rivers in the state of Washington.

MR. NEILL: They are just creeks.

MR. FOUND: The Skagit is a little more than a creek.

MR. NEILL: Does their catch amount to anything?

MR. FOUND: No. We are both at the same thing. The fish after coming in through Juan de Fuca strait—the whole catch shows it—after they have passed the southwest end of Vancouver island, the sockeyes at least largely pass over to the United States side and do not emerge from the United States side until they strike the 49th parallel up here at Point Roberts. The catch is made on this side of the line.

MR. MACNEIL: They are making for the Fraser river?

MR. FOUND: Yes.

MR. NEILL: The spawning ground of the sockeye is the Fraser river. They come from Puget Sound and go on up to the Fraser river.

MR. FOUND: I am sorry. I was looking up something Mr. Neill asked me. If you are referring to other varieties, then the picture is quite different. So far as pinks are concerned and so far as cohoes and chums and so on they resort to Puget Sound rivers in large numbers for spawning. The very fact that the Fraser River Treaty applies only to the sockeye run was because the interests on the Puget Sound side did not recognize that it was in their interest to have an international commission deal with a fishery that largely was caught in their own waters and reproduced in their own waters.

*By Mr. MacNicol:*

Q. I want to ask Mr. Miller a question. Do I understand that the average catch in the traps per man in 1936 was 13,500?—A. Well, what I have done—I have divided the total catch for 1935 by forty.

Q. For 1935?—A. Yes.

Q. In 1935 the total catch was 546,000?—A. There are some odd figures, but I did not use them.

Q. In 1936 the total catch was only 103,000?—A. Yes.

Q. So that the catch per man in 1936 would be 2,500?—A. Well, in comparison, of course, with the size of the catch.

Q. If you go back to 1934 you will find that the catch was 136,000.

Mr. KINLEY: With the same number of men?

Mr. MACNICOL: Forty-one men. The evidence is that forty-one men were employed on the traps. It may have been above forty-one.

Mr. KINLEY: If they did not have fish they would not employ as many men.

The CHAIRMAN: That is one question. I do not know whether the witness can answer it or not. What proportion of those forty-one men were employed in the actual operation of the traps, and what proportion were employed in the canneries?

Mr. MACNICOL: I understand that the canneries are at Esquimalt. The evidence was that none of these men had anything to do with the canneries.

Mr. MOYER: They were employed to deliver fish.

The CHAIRMAN: Mr. Coverdale, could you answer that?

Mr. MOYER: As of 1919, of course.

The CHAIRMAN: Yes.

Mr. COVERDALE: Most of those forty-one men—there would not be that many during the summer, and they use them on the traps putting them in. Of course, they would be using them anyway ashore. It would practically be forty-one men.

Mr. MACNEIL: In the canneries?

Mr. COVERDALE: No, not the canneries. The bunch would be ashore making up webbing and tarring and washing and lifting.

The CHAIRMAN: These forty-one men mentioned at Sooke are used in the operation of the trap, are they?

Mr. COVERDALE: Yes.

Mr. KINLEY: If they have few fish they put them at something else, and if they have a lot of fish,—

Mr. COVERDALE: It does not matter whatever whether you get one fish or millions, it takes forty-one men there in each year, nine months out of the year.

*By Mr. Taylor:*

Q. Do you know, Mr. Miller, of any record catches by purse seines?—A. No, I do not.

*By Mr. Tolmie:*

Q. Have you any records of the catches off the Swiftsure banks?—A. No. The only thing I do know is this that the returns of the purse seine fishermen are not any more than to keep them through the winter until the season opens up next year, although they had many exceptionally big catches, as high as 10,000, I believe, in one set, especially of the cheaper variety of fish—that is pinks especially. Nevertheless, that might only be once in the whole season, and the average for the season is the only figure that it is correct to take.



*By Mr. MacNicol:*

Q. What is the figure per man for a purse-seiner?—A. I have not got them.

Q. You spoke of 10,000 at one catch. How many would be on one boat? —A. Seven men.

Q. Each man, apparently, would catch an average of around 1,300 and some odd on the basis you mention.

Mr. TAYLOR: At one take, that is.

*By Mr. MacNicol:*

Q. Are they fishing every week?—A. Yes, every week.

Q. So that each man per year would catch a lot more than— —A. No. That is exceptional.

Mr. KINLEY: Purse-seining is like hunting for gold.

The WITNESS: It is exceptional. I do not think there are many catches of 10,000. Some years ago it used to be a common thing especially in the mouth of rivers and so on.

Mr. NEILL: Might I quote this man who lives in the district. He writes me as follows:—

I have on hand a clipping of a newspaper dated 1913 stating that in one haul the Todd traps took 23,000 salmon.

There is a record if you want a record, and his name, if you wish it, is a worthy one; he is Rev. Father Ed. M. Scheelen, and he concludes his remarks in this way:—

Keep up the good fight. God will bless you.

Mr. MACNICOL: I do not want Mr. Neill to go away with the idea that the rest of us are not keeping up the fight. As far as I am concerned, I am trying to obtain light on a subject of which I know nothing, and I am not going to be put in a position of being opposed to or for purse-seiners or gill nets or traps. I would like to get a little further light, and I shall ask one or two more questions.

*By Mr. MacNicol:*

Q. Mr. Miller, I listened to what you said a moment ago about tremendous catches at the Sooke traps. That may be so. But I have in mind the figures given here and what has been said here so often to the effect that the Sooke catch is only 2 per cent of the whole catch, and I cannot get this matter through my mind yet. Perhaps you could enlighten me by telling me how the abolition of the Sooke traps which would permit that 2 per cent to go on into American waters—how that small amount of 2 per cent that the British Columbia people not get would affect in a small way employment at the Fraser river. If it can be shown to me that 1,000 or 2,000 men could be given work, I am in accord with you in getting more men to work. I would be opposed to the traps too but so far I have not heard any evidence that will convince me that the 2 per cent amounts to more than a bagatelle.

Mr. REID: I have the answer ready, owing to the fact that Mr. MacNicol and I got into the discussion the other day about this.

Mr. MACNICOL: I would like the witness to tell me what he thinks of that 2 per cent.

Mr. REID: According to the records, the total catch in Puget Sound in 1935 was 529,448 cases which equals, at twelve fish to a case, 6,353,376 fish.

Mr. MACNICOL: Sockeye?

[Mr. George Miller]

Mr. REID: All fish. The Americans in 1935 caught and canned on the Fraser river 211,118 cases including all varieties which at twelve fish to the case equals 2,533,415 fish. Now that, Mr. Chairman, make a total of 8,464,494 of all fish caught in the Puget Sound and in the British Columbia waters around the Fraser river. That is the total fish in the Puget Sound caught and canned for 1935.

Mr. MACNICOL: What is the 21,000,000?

Mr. REID: Out of that, Mr. Chairman, the Sooke trap caught in the same year 546,287 fish which works out at approximately 7 per cent of the total catch of all varieties of fish in Puget Sound and the Fraser river.

Mr. HILL: What about 1934 and 1936?

Mr. REID: I know. You might go back to 1919, but I am taking the last figures presented to the committee.

Mr. HILL: Why not take an average of four or five years?

Mr. REID: If you were taking an average, the question would arise as to what average you would strike. Would you strike a five year, a ten year or a twenty year average?

Mr. TAYLOR: Let us have 1934.

Mr. REID: You will remember when averages were being discussed, Mr. Goodrich said—

Mr. HILL: Take the biggest year and the smallest year, if you want to.

Mr. REID: I am taking 1935, the last year's figures we got, and giving these in answer to Mr. MacNicol. I pointed out that the Sooke traps took seven per cent of all the fish in Puget Sound and the Fraser river. It is true that they took two per cent of the sockeye only, but somehow we cannot get it socked into Mr. MacNicol that that is two per cent of the sockeye fish only, which is only one variety out of all varieties.

Mr. MACNICOL: Up to now you said that the catch was around eight million.

Mr. REID: Of all varieties.

Mr. MACNICOL: Of all varieties, whereas the government return gives, of all varieties, a catch of twenty-one million.

Mr. REID: Yes, but for all British Columbia. That is for the north as well as for Puget Sound.

Mr. MACNICOL: We are just talking about Puget Sound.

Mr. REID: We are talking about Puget Sound. When I mentioned British Columbia, you are the very one that says, "I want to know what the Puget Sound catch is." When I figure out the Puget Sound catch, you say, "What is the British Columbia catch?"

Mr. MACNICOL: I have not got the evidence before me so I do not know whether I did say that or not.

Hon. Mr. TOLMIE: In figuring the total number of fish that you have given us here, would not a great many of those fish be headed—if you are taking all varieties—for Puget Sound waters? Mr. Found just recently told us that many of these, a very large number of them, are spawned in the American rivers.

Mr. REID: The figures I was giving, Dr. Tolmie, are of the fish that were caught in the Puget Sound and the Fraser river. Just what number would remain on the American side and spawn is a matter of record, as pointed out by Dr. Found. My reason for making the statement was to point out that the two per cent that has been quoted pertained only to the catch of sockeye; and if you were taking all the fish, it would work out at 7 per cent taken by the Sooke traps.

Mr. MOYER: That is a freakish year.

Mr. TAYLOR: Mr. Chairman, I have just worked out the proportion for 1934, the year immediately preceding, and it comes to rather more than .5 of 1 per cent; that is one-half of 1 per cent. You see how we are being misled by statements of this kind. If we are going to take one year, why choose that year which is least disadvantageous to the Sooke traps?

Mr. REID: I take exception to the gentleman saying that the figures which I gave are to mislead the committee. I take very strong exception to that, Mr. Chairman. There is no such thought in my mind as that. I pointed out that the figures quoted were 1935, and I said if you are going to take an average, the question would arise as to what average it would be—five or ten years. He goes back to 1934. But have you got the figures for Puget Sound before you?

Mr. TAYLOR: In the entire sense with which my friend, Mr. Reid, has made that statement, I make the statement that by using the figures for 1934 you get one-half of 1 per cent, as presented in this.

Mr. REID: Have you got the Puget Sound figures there?

Mr. TAYLOR: They are all here.

Mr. REID: No, they are not there for 1934. You have not got Puget Sound, unless you have got the official blue book. You have not the figures for 1934. You do not get them on Dr. Found's data. You are taking the whole of British Columbia. You have got, like Mr. MacNicol, rather confused.

Mr. TAYLOR: I will withdraw if I am wrong. Have you got 1934 there?

Mr. REID: Yes. I can give you that.

Mr. MACNICOL: In other words, you cannot get it soaked into him either.

Mr. REID: I will try with him, too. For 1934, the pack in the Puget Sound totalled 513,174 cases.

Mr. TAYLOR: Will you give me your book and let me work it out?

Mr. REID: This belongs to Mr. Neill. You will be responsible for it.

Mr. NEILL: You might give me a guarantee that you will return it.

Mr. TAYLOR: I have great respect for Mr. Neill.

Mr. NEILL: Is there a policeman here? I would like a guarantee that it will come back. In the meantime might I ask the witness, whom we have forgotten, another question or two, and then, I trust, I will be silent forever more.

*By Mr. Neill:*

Q. Mr. Miller, in view of what I am sure is quite impossible, but in view of the possibility of this committee recommending the continuance of traps, would you—

Mr. MACNICOL: That is anticipating the judgment of the committee.

Mr. NEILL: Might I be allowed to ask my question? I will give way to Mr. MacNicol and let him say his piece if he wants to.

Mr. MACNICOL: Go ahead.

Mr. NEILL: I will have to begin again.

*By Mr. Neill:*

Q. In the view of the associations of unions which you represent—not your own individual opinion—would you be in favour, if the traps are continued—there are two points and this is the first—of their coming, under the fishery law the same as any other fishing does and which they do not in their entirety. I will deal with that first. Would you like to see these traps, if continued, come under the regular laws and regulations that apply to all other fishing?—A. Yes, I think they should.

[Mr. George Miller]



Q. Which they do not at the present time. The other question was—and the question was raised the other day—that this is a great national asset. The evidence shows that it was enormously profitable to the holders of trap licences, for which the public of Canada get \$50 a piece. Would the associations you represent be willing to have them put under public conservation and public interest, up to auction say every four years? I would be willing to start the bidding at \$500 a licence myself, and I am Scotch. Would you be in favour of that? Do you think the people you represent would be in favour of that, if traps are continued? I emphasize the “if,” and I hope they will not be continued. Would you be in favour of having a great national asset which belongs to the people put up for auction at stated periods?—A. Well, Mr. Neill, that is a question I really cannot answer, because we have never discussed it from that angle in the meeting. We were, of course, more inclined to the complete elimination of them, as the best and surest method of furthering employment and greater conservation and so on. That is the viewpoint we worked on.

Q. Give us your own opinion, then. If they are continued, what would you think of the idea of putting them up to auction?

Hon. Mr. MICHAUD: He is too wise for that.

Hon. Mr. STIRLING: He came to give the association's views, did he not?

The WITNESS: I do not know, Mr. Neill. By giving such an opinion—it is a very dangerous thing, in my opinion, if traps are going to be allowed to come back and they are going to be put up for competition. It means that the whole coast of British Columbia will be up for competition so far as trap sites are concerned.

*By Mr. Neill:*

Q. I was referring to the Sooke traps alone?—A. The Sooke traps, alone?

Q. Yes?—A. Well, at least, I think, that some method should be used so that all the traps are not exclusively a special privilege to one company. I would say that.

Mr. NEILL: All right. Go on, Mr. MacNicol. It is your turn now. Go on with the 2 per cent again.

Hon. Mr. MICHAUD: Mr. Neill, I understood you to state that the government only gets \$50 a year per trap.

Mr. NEILL: Each licence.

Hon. Mr. MICHAUD: Each licence. I understand it was not always the case, but that some years ago we used to get \$500 per year for each licence, and then we used to collect half a cent per fish caught in the traps.

Mr. NEILL: Yes.

Hon. Mr. MICHAUD: And the commission, which members of parliament appointed, reported against that and it was abolished. That is my understanding.

Mr. KINLEY: That was the Duff Commission?

Mr. REID: What year was that?

Mr. FOUND: These regulations were enacted—again speaking from memory—in 1919. The commission's report was in 1922. For those few years that fee prevailed.

Mr. KINLEY: Was that the Duff Commission?

Mr. FOUND: Yes.

Mr. KINLEY: I understood that they did that so that the poorer fishermen could get traps, or have a chance to get traps; that if they put the price so high nobody but the rich fellows could get a trap. That is what I heard.

Mr. REID: Who was on the committee?

The CHAIRMAN: Mr. Hill might know how high they bid in New Brunswick.  
Mr. HILL: A poor man could not build a trap of that kind.

Mr. KINLEY: If he had to pay \$500 more he could not.

The CHAIRMAN: How high do they have to pay for the privilege in New Brunswick—the American sportsmen?

Mr. BROOKS: As high as \$75,000, for sport fishing.

Mr. NEILL: Are they put up every year?

Mr. BROOKS: Every year.

Hon. Mr. MICHAUD: It used to be five years, but they pay every year.

Mr. BROOKS: They pay every year.

Mr. NEILL: Is it by tender or public auction?

Mr. BROOKS: By public auction.

Mr. MACNEIL: Conducted by the government.

Mr. NEILL: Does the province get a big revenue from that?

Mr. BROOKS: Yes; it gets quite an extensive revenue.

Mr. HILL: The fishermen protect their own lots.

Mr. BROOKS: Part of the rivers are free—I am speaking subject to the correction of the minister.

Mr. REID: Would that interfere with commercial fishing, Mr. Brooks?

Mr. BROOKS: They do not fish commercially. It is sport fishing entirely.

Mr. KINLEY: In Nova Scotia, on the other hand, we had a bill in the legislature and it was enacted into law, that was a free fishing bill. Any man could fish in any waters; he could pass over the land of any other person to get to the waters to fish and he would not be committing a trespass.

Hon. Mr. MICHAUD: Did that go through?

Mr. KINLEY: Oh, yes. I did not vote for it.

The CHAIRMAN: It would be a fairly good way to put that fellow out.

Mr. KINLEY: There was no revenue because these people owned them in fee simple and the government took them over from them. It was confiscation.

Hon. Mr. MICHAUD: You must not forget that over the soil to which the traps are attached we have no jurisdiction over that. You can put it up to auction. We have no jurisdiction to give the right to anybody to put up traps where they are. That is a provincial matter.

Mr. NEILL: They have already acquired these. It is the licence from this government that makes it possible for them to operate, and that is what you could sell and get a big revenue for the nation from.

Hon. Mr. MICHAUD: I understand we did that, and the commission of which you were a member reported against it. That is the information I have.

Mr. NEILL: I beg your pardon. I did not catch that.

Hon. Mr. MICHAUD: The Duff Commission reported against that.

Mr. NEILL: The Duff Commission reported that they should cut down on the licence fees. It was intended to help the small man as against the big man, to enable the small man to start purse seining in a small way who otherwise was entirely out of it. I was on the commission. The minister is trying to get at me, to say I was to blame for it.

Hon. Mr. MICHAUD: You tried to blame the government for not getting any revenue on this. I say you were on the commission.

[Mr. George Miller]

Mr. NEILL: I am quite willing to take my share of any blame, if there was any blame. But it is only fair to explain it. The matter of traps was not practically considered at all. They were not in the picture. There is no word about traps, so far as I know, except in regard to the licence fees. Is that not correct?

Mr. FOUND: As far as licence fees.

Mr. NEILL: The apparent issue was seines and Japs largely, and other things like that. We did cut down fees. We held that the fees were enormous, \$500—\$300 for a purse seining licence. We thought that was somewhat large, and \$50 or \$20 for a gill net licence.

Mr. FOUND: \$10.

Mr. NEILL: \$10. We cut it down to \$5 and trollers down to \$1. We cut down on all kinds, and traps got cut along with the rest. The trap issue was not in the picture at all. There is not a word about traps in our commission report.

*By Mr. MacNicol:*

Q. Mr. Miller, if the traps are abolished—that is, if the Sooke traps are abolished, in your opinion what is the number of extra men that would get jobs on the purse seine boats or with the gill netters or trollers?—A. I believe there would be at least 200 men find employment.

*By Mr. Cameron:*

Q. You mean 200 additional men?—A. Additional, yes.

*By Mr. Moyer:*

Q. Can you tell the committee how long it takes for a purse seiner to make a set?—A. It takes them about 25 minutes.

Q. How many sets can they make in a day?—A. That all depends.

Q. In profitable water?—A. Even in profitable waters I know for a fact that sometimes they can only make three sets a day or possibly four.

Q. How many have they actually made?—A. Probably as high as ten or twelve in a day.

*By Mr. Reid:*

Q. Would there be any large number of men engaged in seining in the area outside of the estuary of the Fraser river?—A. I do not know.

Mr. NEILL: In regard to this matter of purse seining, I think you have given Mr. Moyer a wrong impression. He asked you how long it would take a seiner to make a set and you told him I think twenty-five minutes. As a matter of fact it would take him several hours. True it does not take long to get the net down and closed, that all has to be done very quickly; but after that you have to empty your net and take it on board again.

Mr. MOYER: If it takes several hours for them to handle a set how could they make as many as ten sets in one day?

Mr. NEILL: They could only do that under favourable conditions and by working almost continuously, practically 24 hours of the day. You did not say how long it took to handle a set.

The WITNESS: The regulations say that the seines must be closed in 20 minutes from the time they first go into the water.

*By Mr. Kinley:*

Q. It must be closed in 20 minutes?—A. Yes. After it is closed then it depends on the amount of fish that is in it, that determines the length of time



it will take to get the seine back on board, and that may be a matter of two hours, and at other times it may only take three-quarters of an hour.

Mr. NEILL: If there was not much fish.

The WITNESS: It depends on the number of fish.

*By Mr. MacNical:*

Q. How many men are now employed in that group around the Fraser river, or around there where the fish apparently come; what number of men are engaged in that work now?—A. In the Fraser river?

Q. Yes?—A. I believe at the peak of the season there would be about two thousand.

Q. And that would mean that with the traps abolished there would be employment for 2,250—an additional 250?—A. Not particularly in the Fraser river area. I was dealing with the Sooke area itself and of course there are no fishermen of that class in that area now. I believe there is evidence before this committee to show that there is practically no fishing taking place in the Sooke area at the present time outside of traps; it is because of the efficiency of the present method that 41 men can handle all the fish now taken in their home waters.

*By Mr. Reid:*

Q. Would that be a ten-mile area?—A. Yes, and more probably.

*By Mr. MacNicol:*

Q. Are there any men out in the straits fishing?—A. There are the trollers—it would naturally depend on the swiftness of the water.

Q. And all that great quantity of fish entering the straits swim up the strait and along the shore until they come to Sooke?—A. Well they touch, of course, all up and down the Vancouver coast—that is, the spring salmon, the cohoes and so forth—and along the west coast of Vancouver Island.

*By Hon. Mr. Tolmie:*

Q. Do they not also fish the Swiftsure banks too?—A. Yes, so far as sockeye is considered.

*By Mr. MacNicol:*

Q. Why do the boats not go out there fishing in the strait?—A. I think it is apparently because of the strength of the current, and that the fish won't school, which is a very important point.

Q. They do not start schooling until they get somewhere near Sooke?—A. Not until they get to an eddy, at the eddies is where the schooling takes place.

Q. Your organization has been making representations on this matter for a number of years I understand; is that true?—A. Yes, I believe the Kyuquot trollers did, I am not sure whether others did or not; but representations have been made against the traps as far back as ten years ago. That is the statement of Mr. Larum himself.

Q. Was it intimated to you at any time that the department would discontinue the issuance of trap licences?—A. Yes, we were advised last year—or 1935, I believe it was—I think the letter is on file, and also I believe it was taken up at a meeting in the fall of 1935—Dr. Found can correct me as to the date.

Mr. FOUND: That was early in 1936.

The WITNESS: There was a meeting at Westminster and the statement was made that no further licenses would be issued except for 1936.

[Mr. George Miller]

Mr. FOUND: No, I must correct that, Mr. Chairman. The matter was discussed and I informed the meeting, of course, that I could make no statement, that it was a matter for consideration by the minister. The letter to which he refers did go out early in 1936.

*By Mr. MacNeil:*

Q. But the fishermen had the assurance that their interests would be protected by the abolition of these traps?—A. They had that assurance.

*By Hon. Mr. Tolmie:*

Q. Who was that from?—A. That was from Dr. Found of the department.

The CHAIRMAN: I notice an article in the Pacific Coast News which reads as follows:—

While it has been claimed that the waters at Sooke (location of traps) are too swift for seining and that the community established hereby will be put out of existence by the elimination of traps, the troller organization contends that the district where the traps are located, is one of the finest seining areas on the coast and that the community which is said to be dependent upon this fishery for a livelihood won't necessarily have to break up as the cannery can be supplied with seine-caught fish, like other canneries.

Hon. Mr. TOLMIE: How many sockeye would they have?

The CHAIRMAN: I do not know. What is your opinion of that, that the area can be fished by other means than traps.

The WITNESS: The opinion of all the organizations is that it certainly can be fished without the traps, and it certainly was fished in the years gone by.

*By Mr. MacNicol:*

Q. How long have the traps been there?—A. As far as I know they have been there since 1918 or 1919.

Mr. MOYER: As a matter of fact a previous witness said they had been there since 1904.

*By Mr. MacNicol:*

Q. And prior to that they had purse seines?—A. I do not think there was any purse seining prior to that, but there was gill netting, as was reported by my co-witness, in 1919. I know there was fishing in that area right up to the time when the traps were licensed in 1919, and I think most of it was gill netting.

Mr. FOUND: Was there ever 2,000 pounds of fish landed by gill nets at any time in the whole past record of that area, was that amount of fish ever taken by gill nets in that area?

The WITNESS: I will leave that question to my partner here to answer.

Mr. MACNICOL: But that was so long ago that it would not add anything material to the situation, it would not be of much value to us at this time.

The WITNESS: But reference was made to the cannery operating if they used gill nets, and the fishermen in Sooke with these nets caught fish and they were taken to the cannery.

*By Mr. MacNeil:*

Q. In your opinion would there be any advantage in having openings in the leads to these traps so as to permit the fish passing through during the closed season?—A. I believe that is provided for by regulation now.

Q. The regulation relates to the size of the mesh, it provides for a six-inch mesh? Should there not be an opening for the fish to pass through?—A. There is an opening, a place is made there in a V shape—so that when a pile is drawn over to one side the fish can get through. It is supposed to be tied back so as to leave an opening.

Mr. MACNEIL: I understood Mr. Gooderich to state that it was impossible to have an opening in the lead.

Mr. NEILL: Mr. Gooderich said that if they made an opening in the lead it would weaken the structure. The lead is only netting, and you could take up enough to make a hole in the lead without interfering with the piles, could you?

The WITNESS: I believe the way it is mentioned is where the lead is fastened to the pot; in that particular corner it is fastened in such a way that the pile acts as a small gate which can be tied open so that the fish coming up into that corner pass through and get away.

Mr. MACNICOL: Is that the system to-day?

The CHAIRMAN: Do the regulations ask for that now, Dr. Found?

Mr. NEILL: I call your attention, Mr. Witness, to a letter from Mr. Dickie, which is filed in our records, in which he says: "I was fully convinced that irregularities prevailed at Todd's traps—the feeling is intense among the fishermen," and he suggests that, "end section of lead be on a pulley to be rolled up so that fishermen could see that fish were not entering traps during closed hours." And he also says this: "Also the Todds who have a most valuable concession should not be permitted to sell fish in Victoria in competition with other fishermen." "The matter is urgent," he says. Have you seen that letter?

The WITNESS: No, I have not.

Mr. MOYER: Is this Mr. Dickie the former member of the house?

Mr. NEILL: Yes. Would you like me to read the whole letter? It is in the record, and in Hansard.

Mr. MACNICOL: That is very interesting, it relates to a similar remark made a few minutes ago. I understand there is supposed to be a gap there now so that when the traps are not in operation the fish can get on through.

Mr. KINLEY: I think there is some confusion about that.

The CHAIRMAN: I think we better hear from Dr. Found on that.

Mr. FOUND: For a number of years a regulation provided that there should be an opening in the lead.

Mr. MACNEIL: Would you mind pointing out where on the diagram.

Mr. FOUND: This is the lead along here, and it provided that there would be during the weekly close time a "V" shaped opening which should go down for a certain number of feet, only recognizing the fact that salmon seem to prefer travelling to a great extent near the surface of the water and that they would rise and pass through. That regulation was also in effect on the Puget Sound traps, but it was discontinued there.

Mr. NEILL: When was that?

Mr. FOUND: Now, you are driving on my memory—but speaking subject to correction I would say that that regulation was in effect for a number of years prior to about 1927 or around there when it was discontinued on both sides. Since that time the regulation provides entirely for the dropping of a curtain across the entrance to the net, and now that "V" shaped opening is not required.

*By the Chairman:*

Q. There is no opening in the lead at all?—A. No.

[Mr. George Miller]



Mr. MACNEIL: What were the technical difficulties in enforcing that regulation? Would it not be in the interest of conservation to allow them to pass through?

Mr. FOUND: It would be in the interests of conservation to allow them to pass through if they did not get by, but what definite evidence has there been before the committee to show that the fish are to any extent held there by that lead during the weekly close time, knowing that the movement of the fish is very largely influenced by the ebb and flow of the tide and that these traps are closed for 48 hours during each week.

Mr. NEILL: Whose business is it to see that they are closed?

Mr. FOUND: That is our business, the business of the officers of our department.

Mr. MACNEIL: At the present time who is responsible for the enforcement of that regulation referring to the closing of that entrance gap?

Mr. FOUND: The inspector of fisheries for the department, and a special employee is engaged by him as guardian for the purpose so that there can be no question of doubt as to the regulation being enforced. Because of reports that the situation was unsatisfactory to the fishermen we made arrangements last year to have one of their men appointed guardian, and we made our boat available to him so that he could go out there at any time and inspect the trap.

Mr. NEILL: Where was that, was that from the Sooke Association?

Mr. FOUND: I forget the name of the association.

Mr. NEILL: I think you will find it was the Metchosin Conservative Association.

Mr. FOUND: I do not want to take the place of the witness.

Mr. KINLEY: May I ask you this, the "V" shaped opening in the trap was taken out by the authority of the department?

Mr. FOUND: It was taken out by a change in the regulation.

Mr. KINLEY: What was the motive in taking it out, there must have been a motive; I suppose it was supplied by the people who owned the trap.

Mr. FOUND: I cannot recall the details of what transpired—you know, we have a good many things to deal with and this is a good many years old—but my recollection is that the question was raised as to whether or not there was any good purpose being served by having that "V" shaped opening in there, that it led to structural difficulties, and that it really was not necessary.

Mr. KINLEY: It is "V" shaped, and I do not think it would have very much effect on the structure of the trap itself. It was just a hole in the lead which the fish might get through. The only motive I can think of is that it is hard for the fish to get by the end of the lead and if that opening were closed it would keep the fish there during the closed time and the owners of the trap would be able to get them as soon as the open day came.

Mr. FOUND: Suppose I say this is the motive, that the "V" shaped opening weakened the structure and that in any event the fish would swim out around the trap and go on their way.

Mr. KINLEY: I think what I said is the motive.

Mr. FOUND: I beg to differ with your opinion as to that.

Mr. HILL: I do know this, that the fish will not stay in there, they will work out around the trap the minute you close it. Fish are pretty much like sheep, they may mill around for a time, but the minute one fish starts swimming out around the trap they will all follow just like sheep.

Mr. KINLEY: Senator Green the other day when he was giving his evidence said that this obstruction tended to get the fish to the American shore by reason of the fact that a school was split up when they had to go out around this obstruction, whereas if there was a hole in the lead they would keep to the Canadian shore, they would go through the hole in the lead and would not be headed out towards the middle of the strait; so it seems to me that the hole in the lead was the important thing, to keep the fish on the Canadian shore.

Mr. FOUND: You are asking me to explain if it is a good thing. It is quite competent for the regulations to require it this year.

*By Mr. MacNicol:*

Q. I am not sure whether Mr. Miller or Mr. Coverdale will agree with what I am going to say, but the evidence submitted before the committee has been to the effect that the fish will keep milling around in there and not leave the traps at all, waiting around to get in when the traps are open. Now, Mr. Hill tells us that the fish do not stay around the traps; they go away. That is a very important point.

Mr. NEILL: Salmon on the Atlantic have quite different habits from the Pacific salmon.

Mr. MACNICOL: You had better send an Atlantic salmon out there.

Mr. NEILL: Am I correct in the statement I made a moment ago?

*By Mr. MacNicol:*

Q. May I ask Mr. Miller what his opinion is. You heard the statement made by Mr. Hill and by Mr. Found and you heard what I said has been reported here, namely that the fish keep milling around or waiting until the trap is opened again. Do they do that?—A. Well, the only thing I can say is that at our discussion in Vancouver it was said that there certainly would be a certain percentage of the fish that would remain in the vicinity of the pocket; that is the angle between the lead and the 80-foot length of the pot.

*By Mr. MacNeil:*

Q. The acute angle?—A. Yes.

*By Hon. Mr. Tolmie:*

Q. That is a matter of opinion?—A. It is the opinion of the organization.

*By Mr. Moyer:*

Q. Was there anyone in the discussion who had worked on the traps besides Mr. Coverdale?—A. No.

Mr. FOUND: The only point I want to make, and I won't take more than a moment, is this: that at a certain time after you drop that apron you might go out there and see thousands of fish milling around there that might be coming up, boiling up near the surface if the water conditions were such that you could do that. But then, at a time when it is rough you do not see it. Remember, these traps are closed for forty-eight hours. When you take the next tide, go out there and see what you could see.

Mr. MACNEIL: What official is actually there at the present time to assure that the apron is fully closed?

Mr. FOUND: There are no traps there at the present time.

[Mr. George Miller]

Mr. MACNEIL: When the traps are there.

Mr. FOUND: When the traps are in operation our organization is this: the inspector of fisheries for the district is responsible. A local man is employed to see to it. Then, in order that things may be even more satisfactory from that standpoint we gave powers to a fishery guardian, a man selected by some local association there, and made our boats available to him to go out there at any time.

Mr. MACNEIL: Who was the man referred to previously in the evidence as sometime on the payroll of the company operating the traps?

Mr. FOUND: Guardian.

Mr. MACNEIL: He is partially responsible, at least, to see that the apron is fully closed?

Mr. FOUND: During the time he is employed he would be responsible.

Mr. NEILL: Did he visit each trap?

Mr. FOUND: I could not tell you.

Mr. NEILL: Five traps miles apart. Does he visit them every day or once a week?

Mr. FOUND: I would have to look up his reports to see.

Mr. NEILL: That is the thing to which Mr. Dickie referred when he said an irregularity occurred.

Mr. FOUND: I do not want to take up your time.

Mr. CAMERON: We can get you again.

Mr. FOUND: Precisely.

Mr. MACNEIL: I have one question to ask Mr. Coverdale, and it is this: in his opinion would it affect the lead structurally to have such an opening? He is familiar with the opening to which we refer.

Mr. COVERDALE: The year I drove those traps out there that V was put there for the purpose of opening them, but I never saw it open, as it is lashed right up. They have piling. I tried to explain to you about the big ring sliding down with the apron.

Mr. MACNEIL: In the lead.

Mr. COVERDALE: And there are staples on it with wire, one each side, a ring on each side there, and you lower them down. Your lead comes up here to your trap, and there is an opening here, which would be about like that (indicating).

Mr. MACNICOL: How wide?

Mr. COVERDALE: Fourteen inches.

Mr. KINLEY: An inverted V.

Mr. COVERDALE: From the bottom.

Mr. KINLEY: Where is the peak of the V, at the top or the bottom.

Mr. COVERDALE: Top.

Mr. KINLEY: It runs down that way.

Mr. COVERDALE: Yes, sir.

Mr. FOUND: No, the other way.



Mr. COVERDALE: I am explaining this. The bottom of this pile the wire is fastened to it, and that comes up and your apron slides down the pile on each side, so that it could not be opened on the bottom; it has got to swing back here at the top.

Mr. MACNICOL: It is secured at the bottom.

Mr. COVERDALE: It is secured at the bottom with that wire that comes up to the apron if the apron is closed; so you can just swing this pile back and tie it to the pile, and there would be an opening here of fourteen inches or something like that, from 60 feet, from 40 feet down here.

Mr. MACNEIL: When the apron was closed leading to the pot or spiller?

Mr. COVERDALE: Yes.

Mr. MACNEIL: The fish could then pass through the opening and go right along.

Mr. COVERDALE: Yes.

Mr. KINLEY: It is pulled apart like curtains.

Mr. COVERDALE: It is swung back and lashed on here; you would need only one pile. This other one don't matter; it is away from the lead.

Mr. MACNEIL: It does not weaken the lead?

Mr. COVERDALE: It does not bother the lead in the least.

Mr. MACNICOL: It was not done when you were there?

Mr. COVERDALE: No, sir.

The CHAIRMAN: That is a question that was asked the witness before, it seems to me. It has been suggested here at different times that these fish mill around there and become injured by going up against the wire netting and the apron in rough weather. Now, Mr. Found can tell us that later on. Did you ever hear of fish being injured there?

The WITNESS: Yes. In the meeting in Vancouver it was claimed the lead does injure the fish, not only the salmon but other species of fish.

*By Mr. Moyer:*

Q. Who made that claim?—A. I believe now, from memory, that it was Mr. Eden.

*By Mr. MacNicol:*

Q. Did he work on the traps?—A. Mr. Eden?

Q. The gentleman of whom you are speaking?—A. No; but it is a report from the membership.

The CHAIRMAN: He would not need to work on the traps to know that. An ordinary fisherman would know that if he caught a damaged fish, or a fish that had died. Before we adjourn I should like to know if you are through with these witnesses? If so, they will be discharged.

Witnesses discharged.

Now, Mr. Cameron moved, seconded by Mr. MacNeill, the following resolution: (reads resolution). Are you ready for the question?

Mr. MACNICOL: Are you including in that motion the other witness who was before the committee?

Mr. KINLEY: What witness?

Mr. MACNICOL: I forget his name. We had a witness before the committee. If you are going to apply this motion to one witness you should apply it to all.

Mr. MOYER: Mr. Gooderich paid his own expenses. Speaking on his behalf we are not making any claim or asking for any expenses.

The CHAIRMAN: Are you ready for the question?

Motion agreed to.

Mr. NEILL: Mr. Chairman, I want my book back. I am going to have a sit-down strike until I get it.

Mr. MACNICOL: I should like to suggest to Mr. Coverdale that on his return trip he feed himself properly. Coming down he told us his breakfasts were very slight; he cut down on several meals. On his way back he can make up for the loss.

The CHAIRMAN: We appreciate the evidence of these two gentlemen. When shall we meet again?

Some hon. GENTLEMEN: At the call of the chair.

Mr. TAYLOR: In the presence of witnesses, I return the book.

Mr. NEILL: Is it the same book?

Mr. MILLER: I should like to thank the committee for its courteous hearing.

The committee adjourned at 1 p.m. to meet again at the call of the Chair.





SESSION 1937

HOUSE OF COMMONS

CA1 X6 17

-M12

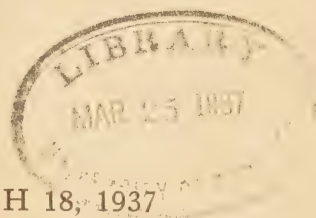
STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 11



THURSDAY, MARCH 18, 1937

WITNESS:

Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1937



HOUSE OF COMMONS, COMMITTEE ROOM 429,

THURSDAY, March 18, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock a.m. this day, Mr. A. E. MacLean, Chairman, presided.

The following members of the Committee attended: *Messieurs*: Brooks, Cameron (*Cape Breton North-Victoria*), Ferron, Green, Hanson, Hill, MacLean (*Prince*), MacNeil, MacNicol, McDonald (*Souris*), Michaud, Neill, Reid, Richard, Stirling, Taylor (*Nanaimo*), Telford, Tolmie, Tomlinson, and Veniot. — 20

*In Attendance as a witness*: Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

*Also present*: Dr. Wm. A. Found, Deputy Minister of Fisheries, and other officers of the Fisheries Department, Ottawa. Mr. L. Clare Moyer, K.C., representing and counsel for the Sooke Harbour Fishing and Packing Company, Sooke Harbour, B.C.

A telegram from the Reeve of Matsqui Municipality, B.C., protesting against the issuance of trap licences in B.C. waters, was read into the record by the Chairman.

Mr. Whitmore called and sworn.

The witness was first examined by Mr. Moyer; later the questioning became general. Dr. Found was called upon to answer a number of questions during the course of the examination, and finally made quite a statement, by request, respecting the habits and characteristics peculiar to salmon, particularly the sockeye. Questioning, interspersed with much discussion generally continued until one o'clock; it was then found that the examination of the witness could not be completed at this day's sitting.

The witness retired.

After some further discussion as to the next meeting it was finally decided to meet again tomorrow — Friday — at 11 o'clock a.m.

The Committee adjourned.

E. L. MORRIS,  
*Clerk of the Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS, ROOM 429,

March 18, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock. Mr. A. E. MacLean, the chairman, presided.

The CHAIRMAN: Now, gentlemen, I think we have a quorum, and if you will come to order we will proceed. We have not had very much in the way of correspondence since the last meeting; but I have a telegram here that I think had better be put on the record. It is from Matsqui, British Columbia and is addressed to A. E. MacLean, Chairman of the Fisheries Committee and reads as follows:

Matsqui Municipality strenuously protest against issuance fish traps B.C. waters.

Reeve Cruickshanks.

Mr. MACNICOL: Where is that?

Mr. REID: It is in the Fraser river constituency.

Mr. MACNICOL: It is not anywhere near where the Sooke traps are.

Mr. REID: No.

The CHAIRMAN: What is the order of procedure this morning?

Mr. MOYER: At a previous meeting you made a suggestion, which I think was very sound, that the committee might usefully hear evidence from Mr. Whitmore, who is the head of the western fisheries branch, and who was formerly an active representative of the department in British Columbia. Mr. Whitmore was born on the Fraser river and has seen the traps worked at Sooke. I think the committee should hear Mr. Whitmore as suggested by the chairman.

The CHAIRMAN: Is it the wish of the committee to hear Mr. Whitmore?

Some Hon. MEMBERS: Yes.

ALFRED J. WHITMORE, called:

The CHAIRMAN: Are you going to swear Mr. Whitmore?

Mr. TOMLINSON: I think he should be sworn.

The CHAIRMAN: All right; the clerk will swear him.

WITNESS SWORN.

Mr. NEILL: Have you any authority to swear people, Mr. Clerk?

The CLERK: Yes.

Mr. NEILL: Are you a J.P.?

The CLERK: I am not required to be. I am authorized by the Speaker of the House.

Hon. Mr. MICHAUD: Apparently the Speaker of the house has as much jurisdiction as a J.P.

The CHAIRMAN: Shall we allow Mr. Whitmore to make a statement or does the committee wish to question him? What are the main features that you want Mr. Whitmore to deal with?

Mr. MOYER: When the time comes, and with your permission, Mr. Chairman, I should like to ask him a few questions.

The CHAIRMAN: Possibly you had better start in and lead up to anything you want.

*By Mr. Moyer:*

Q. All right. Your position with the Fishery Department is what?—A. Head of the Western Division at Ottawa.

Q. At Ottawa?—A. Yes.

Q. As such you are senior officer with respect to fisheries in British Columbia?—A. At Ottawa, yes.

Q. How long have you been in that position?—A. Seven years.

Q. Prior to that what was your position?—A. I acted for five years as assistant to the Chief Supervisor of Fisheries at Vancouver.

Mr. TOMLINSON: Speak a little louder.

The WITNESS: I acted as assistant to the Chief Supervisor of Fisheries at Vancouver, Major Motherwell.

*By Mr. Moyer:*

Q. As such your duties would involve what?—A. Generally administration of the province, enforcing regulations and general administration.

Q. Did it involve travelling about?—A. To some extent, not a great deal; I was an office man for those five years.

Q. Are you familiar with the traps at Sooke harbour?—A. Well, I have been there; I have been on them, and I know the results of their operations.

Q. How long since you were there?—A. 1933.

Q. Were the traps, so far as you know, the same as they are now?—A. In 1933 I believe there were five operating, last year only four, of course; otherwise they are the same.

Q. You say you were on the traps?—A. Yes.

Q. Did you see the lift?—A. Yes.

Q. Would you describe to the committee just what you saw and what was the nature of the fish handled when you were there? How were they handled?

Hon. Mr. STIRLING: I should like first of all to know how accurate that diagram is; is it right or not?

The WITNESS: That diagram is a diagram of a double trap. The Sooke traps have not these wings on this side (indicating).

Hon. Mr. STIRLING: If we cut off that side, is it accurate on this side?

The WITNESS: Yes.

Hon. Mr. MICHAUD: On the east side there is no wing?

The WITNESS: They are cut off on the west side, on the east side. Only one spiller, instead of two, as shown here. The spiller on the west side is also off.

*By Mr. Reid:*

Q. May I ask a question? Are they not cut off on the east side and left on on the west side? The fish are heading in east?—A. Quite so.

*By Mr. Moyer:*

Q. Will you tell about the lift that you saw, please?

*By Mr. Reid:*

Q. Might I ask the date you were there in 1933?—A. Somewhere toward the end of July, 1933.

*By Mr. MacNeil:*

Q. How many lifts did you see?—A. Four traps visited—we missed one. The process of lifting has been pretty well described. We came alongside the traps on a tender, the Sooke Packing Company tender, a fairly large boat 90 [Mr. A. J. Whitmore.]



feet long, which had in tow a couple of scows. We came up to the first trap, which was the farthest one out in the Straits, and I climbed up the piles, a ladder going up by the piles—you can walk around and look down and see the fish swimming about. The process of lifting the trap and brailing the fish out has been pretty well described.

*By Mr. MacNicol:*

Q. Will you point out where the lift is taken on the diagram?—A. The boat comes along the front of the spiller from this (indicating). The small pot scows come inside. They make an opening in the wall of the spiller to take this pot scow in and eventually by working the web inside they corral all the fish in one small space from which they can be brailed from the spiller.

Q. Differentiate between the functions of the pot and that of the spiller?—A. The pot is just a compartment leading to the spiller. The fish come in there, through here, over here to the pot and then to the spiller (indicating).

*By Hon. Mr. Michaud:*

Q. It is a waiting room?—A. A waiting room.

*By Mr. MacNeil:*

Q. When the lift was made was the apron down?—A. The apron? The trap was fishing the day I was there; the apron was up.

Q. Point to just where the apron is?—A. At the entrance to the outer heart on that date.

Q. Just on that point one previous witness described the apron to the entrance to the pot?—A. Yes.

Q. Has there been a change in the type of trap?—A. Yes; he was describing conditions in 1919.

*By Mr. Reid:*

Q. May I ask if this trap compares with the U.S. trap? Are they the same?—A. No. Some of the U.S. traps, I understand, at Puget Sound, were of the single side type, and some double. This is for illustration purposes.

*By Mr. Moyer:*

Q. Have you ever seen a trap of the type described by Mr. Coverdale as having been operated at Sooke in 1919?—A. No; I have never been on one.

Q. You spoke about brailing fish out. What sort of fish did you see taken out the spiller?—A. A salmon catch, and it consisted largely of sockeye. There happened to be a very good catch that day; in fact I think four traps we visited contained probably five or six thousand sockeye.

Q. An exceptionally good day?—A. It was thought to be a good day.

*By Mr. MacNeil:*

Q. What was the method of counting the fish?—A. The fish were not actually counted as they were taken out of the trap, but when the boat was moving from one trap to another and on the way back to the cannery or to Sooke they were sorting the fish from one compartment to another, and there was a man there counting them.

*By Mr. MacNicol:*

Q. What do they do with the dogs?—A. There were a few dogfish; they were thrown overboard.

*By Mr. Moyer:*

Q. You say the sockeye were in the majority?—A. The sockeye were in the majority.

Q. What else did you see?—A. The springs were the next numerous, nowhere near five thousand of these; I would possibly say 250, maybe, large spring salmon. They are a large fish compared with the other varieties and stand out, as it were.

*By Mr. MacNeil:*

Q. Averaging what weight?—A. Well, they average, I would say, possibly 20, 25 pounds, some big fellows running as high as 50, and there were other small ones. Then there were a few pink salmon, not very many, and a few steelheads and a few cohoes.

Q. No grilse?—A. Yes, there were a few, I would say. What is termed grilse or trout, there may have been fifteen or twenty, I would say, what you might put in a bucket. The crew of the trap put them aside.

*By Mr. Tomlinson:*

Q. Are they trout?—A. Sea-trout, or immature salmon.

*By Mr. MacNeil:*

Q. That was just the beginning of the season for grilse, later on they might average considerably more?—A. They might catch more later.

*By Hon. Mr. Tolmie:*

Q. Do not these grilse run practically all summer, from early spring?—A. The term grilse refers to immature salmon, and is applied to various varieties of salmon; cohoes, for instance, the immatures are known around the coast as blueback salmon in British Columbia. They are taken in very large quantities by trolling on the east coast of Vancouver Island. I have no doubt some are taken from the trap. As a matter of fact, I think the trap catch shows bluebacks, immature cohoes.

*By Mr. Tomlinson:*

Q. Not fully grown?—A. No, not fully grown. They are caught in the spring of the year. The tagging experiment shows us they reach their full growth about the fall of the year.

*By Mr. MacNeil:*

Q. It is generally recognized by sport fishermen large numbers of the grilse may be mainly caught in the month of August?—A. Sport fishermen do catch a lot in the month of August.

*By Hon. Mr. Tolmie:*

Q. They catch them in the month of March, too?—A. Quite so.

Mr. MACNICOL: Where do you put the tags?

*By Mr. MacNeil:*

Q. The main movement of grilse during any year is in August, and it might be expected the traps would catch a large number in a later period?—A. I would not say that the main movement of grilse takes place in August.

*By Mr. Moyer:*

Q. Did you see any immature sockeye?—A. No.

Q. Did you see any other varieties of fish?—A. Yes, a few.

Q. In the spiller?—A. Quite a few, the odd halibut, flounder and sole.

*By Mr. Neill:*

Q. Herrings?—A. Yes, possibly.

*By Mr. MacNeil:*

Q. Red snappers?—A. Red snappers, bass, perch.

[Mr. A. J. Whitmore.]

Q. Ling cod?—A. A few of everything.

Q. Ling cod?—A. Yes. But the numbers of course, in proportion to the whole catch of salmon were insignificant.

*By Hon. Mr. Stirling:*

Q. Can you give us any information on the number of dogfish in the lift?—A. Possibly there may have been 100, or 150 of them.

*By Mr. MacNeil:*

Q. Was there any indication they had been preying on the other fish?—A. None whatever; the salmon were perfect.

*By Mr. Moyer:*

Q. Do dogfish prey on salmon?—A. I do not know of any actual case where they could have been said to have preyed on them. Do you mean attack them?

Q. Mutilate them?—A. I don't know.

Q. It was said here the other day by Mr. Coverdale that dogfish line up outside the trap waiting for their prey, and at the same time they made it impossible for the purse seiners to come in the vicinity profitably. Did you see any dogfish hanging around in droves outside?—A. No; I had not particularly looked for them, and I may have looked and not seen them underneath. They are a deep-water fish; they are a ground fish.

*By Mr. Neill:*

Q. Does the witness say that dogfish do not eat salmon?—A. I do not recall making that statement.

Q. You gave that impression just now. You said they do not prey on salmon?—A. No, I do not think they prey on salmon.

Q. What do they live on?—A. They are a ground bottom fish, they feed on offal or any small fish.

Q. Dogfish do not eat salmon?—A. I have never heard it said they eat salmon.

*By Mr. McNeil:*

Q. Is it not true if salmon or any other species of fish are caught in a trap or held, and the fish are mutilated in any way, they are always the prey of dogfish? Have you had any experience of that?—A. If the fish is dead—you are referring to dead fish?

Q. After they have been caught?—A. I would say no. When fish are caught some would die—

Q. Is it not the general experience of fishermen that after the fish is on the troll and is dead or in the mesh that the dogfish would go after them?

*By Mr. Neill:*

Q. Is it not your recollection, Mr. Whitmore, that there have been numerous complaints of dogfish spoiling the fishing insofar as trolling is concerned, for instance, and when the fishermen came to haul in the salmon they would find dogfish on the lines instead of salmon?—A. Oh, yes, they spoil their fishing by catching onto the lines. In the case of gill netting they will fill up their nets.

Q. And they do an enormous amount of destruction?—A. They are certainly a scourge and a nuisance from that angle. As for actually eating a live salmon, I do not know. As a matter of fact live salmon are as big as a dogfish.

*By Mr. Reid:*

Q. Is it your experience they will eat a dead fish but not a live fish?—A. A salmon is very well able to take care of itself.



*By Mr. Moyer:*

Q. Mention has been made of mutilation of fish in the trap and in the spiller. Did you see any indication of that?—A. I do not think I saw a mutilated fish that day. It might be that there were some there. There are different ways that salmon can be mutilated.

*By Mr. Neill:*

Q. Did you never hear of a gill netter complaining when he pulled up his net there was a great number of heads, only heads?—A. Yes.

Q. To what do you attribute that?—A. Hair seals.

Q. To dogfish?—A. Hair seals.

Q. Not dogfish.

*By Mr. Taylor:*

Q. Is it not a fact that hair seals are really destructive? Hair seals are hungry?—A. Very much so.

Q. The biting of huge pieces out of fish is primarily done by hair seals?—A. Right.

*By Mr. MacNeil:*

Q. Is it not true that the fish are intercepted by the mesh on the lead and some would be caught there, and in striving to escape would be mutilated in some way, and therefore be subject to prey by the dogfish?—A. Yes, there is that possibility. The lead is a six inch mesh, and the fish may get stuck in that and still be—

*By Mr. MacNicol:*

Q. These are the fish that are subject to prey by dogfish. I understood the witness to say the mesh in a lead is six inches square?—A. Yes, the minimum six inches extension measure.

Q. A pretty good sized fish could go through that?—A. Sockeye will go through—the ordinary size sockeye will go through a six inch mesh net; it will go through.

*By Mr. MacNeil:*

Q. In gill netting on the Fraser river usually it will go through. The only time it will hang there is when a tooth is caught on the web and the fish tangles itself up in the twine.

*By Mr. MacNicol:*

Q. A lot of fish do go through the net, do go through the lead?—A. They might.

Mr. MACNEIL: It is not characteristic of the salmon to do that.

Mr. FOUND: There are different sizes of net.

The WITNESS: There are different sizes of sockeye mesh. In gill netting a  $5\frac{3}{4}$ -inch mesh, extension measure, is generally used. That is the size the fishermen usually consider as the most suitable for gill netting sockeye.

*By Mr. MacNeil:*

Q. Is it not characteristic of the fish when moving along the shore and striking this lead to turn and follow the lead rather than attempt to go through?—A. I think that is the idea of the lead.

*By Mr. Moyer:*

Q. What do you say to the theory they follow the lead down to the net and the apron is down. Do they mill around there for the length of time that

[Mr. A. J. Whitmore.]

the trap remains legally closed?—A. I did not observe any milling when I was there. Of course, the trap was open.

Q. Do you think fish would remain there with a reverse tide?—A. Well, I have not any practical experience on that particular point. Our experience at other points along the coast is they do not—is that fish at the mouth of a stream will at flood tide go in on the flood tide and on the ebb tide drop back.

Q. Mr. Cloverdale in the course of his evidence suggested, and in fact made the charge, that the traps were illegally open, were cheating the regulations in connection with the dropping of the apron, and hinted that officers of your department were parties to this brand of cheating. What would you say to the possibility of that being true?—A. Mr. Coverdale's remarks were with reference to 1919.

Q. Apply them to the present time. Would you tell the committee what you have in the way of inspection and supervision of these particular traps?—A. The Sooke area comes under the Fishery Inspector for the Victoria sub-district and that inspector has several seasonal officers to assist him. At the height of the runs special protection is necessary. At Sooke one of these special officers is employed, called a Special Fishery Guardian.

*By Mr. MacNeil:*

Q. The name?—A. The officer who has been that special fishery guardian or patrol man there since 1927 I think, is Mr. A. L. Wilson.

*By Mr. Moyer:*

Q. He spends his full time on the job there during the open season?—A. At the traps, and he gives attention to other fishery matters in the district.

*By Mr. MacNicol:*

Q. There would not be any possibility of him being a party to having the guard up, when it was supposed to be down?

The CHAIRMAN: The apron up?

*By Mr. MacNicol:*

Q. The apron up when it is supposed to be down?—A. Well, he is a sworn officer, takes his oath of office.

*By Mr. Moyer:*

Q. Is it not a fact that there is also an honorary guardian?—A. Yes, there is an honorary guardian.

*By Mr. MacNeil:*

Q. Name, please?—A. Captain Whitelaw.

*By Mr. Neill:*

Q. How long has he been that?—A. Oh, since the fall of 1935.

*By Mr. Tomlinson:*

Q. Why was he put on?—A. Some association in the district was, I should say, possibly somewhat apprehensive the Sooke traps were observing all the requirements of the law.

*By the Chairman:*

Q. They were not observing?—A. Yes, they were apprehensive that the law was not fully carried out.

*By Mr. Tomlinson:*

Q. In connection with these traps?—A. In connection with these traps. And as a result the department suggested if a member of this association desired to become honorary fishery guardian he would be appointed as such, and he would

be given all facilities of the department to approach the traps; that is, he would be given accommodation in our patrol boats there. He would have a badge of office giving him admission to the traps at any time, and that has been on since 1935.

*By Mr. Moyer:*

Q. Has this honorary guardian ever made a report to the department suggesting the company was cheating with regard to the apron?—A. Prior—

Q. Since?—A. No; he has not since his appointment in 1935.

*By Mr. Tomlinson:*

Q. What about that prior?—A. He was one of the association that suggested—he was a member of the association, as I understand it, that suggested possibly everything was not right there at these traps; but there was no specific charge made.

*By Mr. Moyer:*

Q. He has not reported any irregularities since his appointment?—A. No.

*By Mr. Tomlinson:*

Q. Let me ask you some questions now. Have you any regulation which you devised in regard to the honorary guardian as to how often he should visit those traps?—A. No; the honorary guardian is not on our payroll at all. He was sworn in, given powers as a fishery guardian under the Fishery Act, but there is no remuneration. He has an official badge, and our regular officers and permanent officers are instructed to convey him to the traps as and when he wants to go.

Q. You have your officials appointed there?—R. Yes.

Q. There must have been something wrong or you would not have deemed it necessary to appoint this more or less independent man?—A. No. I am afraid it was the other way round. We were more or less satisfied everything was right, but if these chaps thought they could find something wrong, well we would appoint any one of their members to go ahead and report to us any irregularity.

*By Mr. MacNeil:*

Q. During what period is Wilson appointed as a guardian there?—A. Usually from May 1 until the 1st September.

Q. Is it within the knowledge of the department that Wilson is on the payroll of the company?—A. The department knows that Mr. Wilson—got to know about a year and a half ago—was employed for a short time in the spring of each year, and before he was employed by the department, with the Sooke company.

Q. You are aware that he must depend partially for his livelihood upon remuneration received from the company?—A. I don't know that—I don't know what his income is.

Q. What would his income be as an officer of the department?—A. \$100 a month.

Q. And his remuneration for the season would be what?—A. May 1 to—seven months, \$700.

*By Mr. Moyer:*

Q. Has the department found him a satisfactory official?—A. We have had no complaints.

*By Mr. MacNeil:*

Q. Do you consider it good policy to employ a man on that particular work who enjoys that relationship with the company whose activities he must supervise later?—A. I don't know how I should answer that question.

[Mr. A. J. Whitmore.]



*By Mr. Green:*

Q. Could not the regulations be altered so you would make it more certain that the fish were not held up or obstructed during the close period?—A. The method of closing the trap has, so far, been considered adequate to close the traps and give reasonable passage to the fish during the close season.

Q. You have heard complaints from these witnesses that that method is not effective. Could you not devise a more effective method of allowing the fish to get through or get past these traps during closed periods? There were suggestions made along that line by the different witnesses. You, however, surely know whether or not there could not be some improvement in the regulations so that the fish could get by?

Mr. MACNICOL: A gate in the lead.

The WITNESS: I understand.

*By Mr. Green:*

Q. In the lead, too, there might be some gate of some other change?—A. My understanding is it is an engineering problem entirely. The point where they desire the other opening to be placed is where the piles are quite long, deep water, and there is a question of strengthening the piles to have some kind of an opening that may be placed there.

Q. It may cost the company a little more. Surely, the intention is that the fish will not be obstructed in any way during the close period? Is it not only fair for you to insist on the company making a provision in such a way that such will be the result?

Mr. HILL: My experience in the east has been that even with an opening in the lead the fish will not go through it; they will go around the traps much more frequently than they will go through an opening, because of the projection on either side. They will mill out and go around the traps much quicker than they will go through an opening. For every one fish that will go through the opening ten will go around the trap. That is our experience in the east, where we have the same form of traps.

*By Mr. MacNeil:*

Q. Will you detail the instructions given to Mr. Wilson as to how he will assure himself that the apron is fully closed during the stipulated close season?—A. No, I do not think there was any specific instruction given by the department, but the local officer out there may have said something. The regulations set it out exactly.

Q. Is he required to visit the traps and inspect the closing of the apron during the close season?—A. Certainly.

Q. Has he reported he has done that on all his visits and found that the apron has been fully closed?—A. He has not reported that, but he has not reported any violation.

*By Mr. Tomlinson:*

Q. Don't you demand a report from your officers?—A. Quite so, but the reports do not indicate any violation occurred. The question on the report is, "Have you observed any violation?" And the answer is, "No".

*By Mr. MacNeil:*

Q. What assurance has the department the regulations are fully observed?—A. His assurance they are.

Q. Is not that an assumption rather than an assurance?—A. He answers the question directly, "No".

Q. The point is you rely on that assumption, or do you rely on the absence of any report of a violation from the individual who is partly on the pay of the company?

*By Mr. MacNicol:*

Q. He is not on the pay of the company during the time he is in your employ?—A. No, absolutely no.

Mr. MACNEIL: His livelihood during the year is partially derived from the company.

Mr. MACNICOL: He is sworn.

WITNESS: Oh, yes, he is sworn.

*By Mr. MacNeil:*

Q. Is not that true, that this was the only assurance of the observation of the regulation?—A. We have our fishery inspector in Victoria.

Q. How often is he required to visit the traps?—A. He is not required to visit them any particular number of times, but in the course of his duties I expect during the season he is at Sooke twice a week, because invariably—

Q. Has he reported he is there twice a week?—A. His report shows where he is during the week.

*By Mr. Moyer:*

Q. You say he invariably?—A. The statement I intended to make is he would be available if needed to go there.

*By Mr. MacNeil:*

Q. Does he actually go on the traps and make certain the aprons are fully closed?—A. That is the thing he would look for.

Q. Have any of these officials reported as a fact as to whether or not fish are lying in wait, as it were, inside the lead, between the lead and the angle of the outer heart to which the apron opens?—A. No, they have not reported it. I do not know that they have been asked to report it; they have not reported it.

Q. You have no evidence from them one way or the other?—A. No.

*By Mr. Tomlinson:*

Q. Have you had any report from this honorary guardian?—A. The only report I think that we have had from him in writing has to do with this opening in the lead.

Mr. MACNICOL: One of our own members here, Mr. Hill, who is apparently experienced with traps—

Mr. MACNEIL: In the east.

Mr. MACNICOL: I do not know whether in the east or in the west. Mr. Hill says that the fish do not mill around; that they go around the traps.

*By Mr. Green:*

Q. I should like to get the witness's opinion with regard to the opening in the lead. Why is it not possible to put in some opening in the lead so that the fish can get through when they are supposed to get through?—A. I do not know any reason why it is not possible other than they say it has engineering difficulties attached to it.

Q. Who says that?—A. The evidence is in the department.

Q. Is it not the job of the department to know whether or not that is the case?

Mr. MACNEIL: Is your regulation—

[Mr. A. J. Whitmore.]

Hon. Mr. MICHAUD: Mr. Green, you were assuming that the fish do not get around. That has to be proven first.

Mr. GREEN: We cannot all go down fifty feet under water and find out what the fish do. The suggestion has been made there should be some opening in the lead. I want to know why it is not called for in the regulations.

Hon. Mr. MICHAUD: It has been.

The CHAIRMAN: The evidence came out that formerly there was an opening in the lead but in later years the department regulations do not call for that opening.

Mr. GREEN: Why did the department change the regulations?

Mr. MACNICOL: Mr. Hill—

Mr. GREEN: Mr. Hill is not giving evidence. We want to get this from experts.

The WITNESS: Why did the department change the regulations?

*By Mr. Green:*

Q. Why did the department relax that regulation?—A. On the Puget Sound perhaps this V-shaped opening was not being required.

Q. The American traps?—A. Yes.

*By Mr. Neill:*

Q. The regulations were changed on the request of the people operating the traps at Sooke?—A. Yes, I would imagine that is it.

*By Mr. MacNeil:*

Q. If it were not for the existence of the traps would not the main movement of the fish tend to hug the shore line?—A. Some of the fish coming in the straits still hug the shore line.

Q. Being intercepted with the apron closed, in attempting to escape, or if they did escape the tendency would be to divert them more rapidly towards the American waters, would it not?—A. I could not say.

Q. They are thrown out into the main current of the straits?—A. Yes.

Mr. MOYER: We do not know they are not thrown out as it is.

Hon. Mr. MICHAUD: That has not been established yet. You are discussing assumptions, which I feel are not proven.

Mr. MACNEIL: The evidence of Mr. Goodrich this year was to the effect that on reverse tide the fish pass around the end of the trap, which projects some distance from shore. Previous evidence also shows the traps are built out around the edge of the eddy, or the edge of swiftly moving waters. Now, would it not be reasonable to assume from that evidence that the fish, if they did escape, would be diverted in larger quantities in American waters; whereas if an opening existed in the lead through which they might pass they would continue along the Canadian shore line in much larger numbers?

The WITNESS: Possibly some would go through that opening.

Mr. MACNICOL: 98 per cent of the fish are away on the outside altogether, going on about their business up the channel.

*By Mr. Green:*

Q. The point is there is supposed to be a close period, and during this period there should be no obstruction of the fish. Is it not your opinion that if there were an opening provided in the lead there would be more fish get through there during this close period?—A. Yes, there would be very likely a few more go through.



*By Mr. MacNeil:*

Q. Have you any knowledge in regard to the suggestion that an opening in the lead would create a structural weakness there?—A. I am not an engineer, I don't know.

*By Mr. Green:*

Q. Was there any departmental investigation of that contention, or did you simply act when the company asked that this regulation be abolished?—A. The department took the matter up and decided that the apron was sufficient during the close season.

Q. Does your inspector inspect the closing of the apron every time there is a close period, or simply inspect once or twice a week?—A. Every time he visits the trap during the close season that would be the thing he would be looking for.

Q. Has he got instructions to visit the trap each time there is a close period to see that the aprons are closed?—A. Yes.

*By Mr. MacNeil:*

Q. You do know, in fact, that an opening in the lead would not cause a structural weakness? The company asked for that change in the regulations because they recognized it would be more profitable to fish if that opening did not exist?—A. I think the reason they asked for it was that it was not of any benefit.

*By Mr. Green:*

Q. You have just said there would be more fish get through?—A. There possibly would—I could not say.

*By Mr. Taylor:*

Q. It is purely an opinion?—A. Quite so.

Q. There has been continuous talk that the fish school in this neighbourhood. Now, in the proper acceptance of the word "school" would you assume that the fish are schooling at Sooke, or is it merely that the fish rest at that point, a small portion of them rest in the quieter waters?—A. I have no opinion at all as to whether fish there—

Q. When fish school they school in masses?—A. Yes.

Q. If a hundred per cent of the fish travelling along the Juan de Fuca Straits, the one hundred per cent would go into the Sooke area, if they were definitely schooling. Would you not think that was so?—A. I would not say that.

Q. You would not say that?—A. No.

Q. You think just a small section of them go out to rest in the Sooke area?—A. I think a few are passing—a fringe of the run is passing through the Juan de Fuca Straits, and pass along the coast—

Q. Just a fringe?—A. Yes.

*By Mr. Green:*

Q. How long is it since there has been any tightening up in the regulations?—A. I do not think the regulations have been changed for eight or ten years.

Q. When they were changed they were relaxed?

Hon. Mr. MICHAUD: Is that a fair statement?

Mr. GREEN: The witness has just said they allowed the companies to do away with the opening in the lead in 1927.

The WITNESS: These traps are operating in competition with U.S. traps. The U.S. traps were not being required—

*By Mr. Green:*

Q. There are no traps there now?—A. Quite so.

[Mr. A. J. Whitmore.]

*By Mr. MacNeil:*

Q. Will you describe the mechanism of the apron so we may realize just how it is indicated to the inspector that the apron is fully closed when he visits the traps?—A. I do not think I could do more than read the regulations. The regulations state, section 22:

3. During the weekly close time for trap-net fishing each trap-net shall be closed by an apron placed across the outer entrance to the heart of the trap, which apron shall extend from the surface to the bottom of the water, and shall be securely connected to the piles on either side of the heart of the trap-net fastened by rings not more than two feet apart on taut wires stretched from the top to the bottom of the piles, and such apron, or the appliance by which it is raised or lowered, shall be provided with a signal or flag, which shall disclose whether the trap-net is closed and which shall be of the form and character approved by the Chief Supervisor.

*By Hon. Mr. Stirling:*

Q. May that be a hundred feet deep?—A. It might be, but I would say it was not that depth.

Q. 80 feet, 60 feet, 50 feet?—A. It would depend on the length of the trap and the depth of the water.

*By the Chairman:*

Q. There is always a web below that which comes up part way from the bottom; is that correct?—A. According to this regulation, no, there would not be.

*By Mr. Neill:*

Q. May I ask you if the apron is not here (indicating on plan of trap)?—A. Yes.

Q. At the mouth of the— —A. Outer heart.

Q. And you say your department drew this plan?—A. Yes.

Q. And it shows salmon running around like that. I want to ask you this question: in the other days before it was changed at the request of the trap people the opening in the lead used to be about here, somewhere (indicating)?—A. No.

Q. I would ask you which is more likely to allow fish to get through, an opening here ten feet wide or a gate in here on this thing to act as a sort of guide to keep them there so that they will be more likely to stick around there than if the opening had been in here (indicating)?

MR. MOYER: He suggested the opening was inside the outer heart.

THE WITNESS: A vertical opening in the lead—the required V-shaped opening—was immediately adjacent to the apron.

*By Mr. Neill:*

Q. Would not the fish be more likely to get through an opening like that than a place like that where they are confined already? Would not the tendency be to mill around?—A. There might be, but on the other hand these fish come along the shore line and hit the lead here; they might miss that opening.

Q. The fish come along here and hit the lead and come along this way.

HON. MR. MICHAUD: They are not trained seals.

*By Mr. MacNeil:*

Q. Did you inspect the condition of the mesh of the lead?—A. No, I did not.

Q. After that mesh is down for a season is it not recognized that due to the movement of the tides it becomes coated with seaweed and moss?—A. Quite so.

Q. And becomes a practically solid wall?—A. Evidence has been that the watchmen look after that. That is part of their job, to keep it clean.

*By Mr. Moyer:*

Q. To scrape it off?—A. Yes.

*By Mr. MacNeil:*

Q. To clean that lead?—A. The mesh in the lead. They get most of it off.

Q. It would be impossible to keep that lead clean all the time?—A. At low tide they use special rakes, instruments, to clean the wire.

Q. Certainly not all the wire is exposed?—A. That would be out of their reach, down below.

Q. Low down?—A. Yes.

*By Mr. Moyer:*

Q. Do they not send out divers to check it up?—A. I have heard they occasionally do.

*By the Chairman:*

Q. There is one question I should like to ask you. It has been brought out in previous evidence that from the floor of the ocean there is a stationary web across there that comes up— —A. Yes.

Q. —some forty or fifty feet?—A. In the spiller.

Q. And this apron then would drop down to meet that web. Will you tell the committee if that is in conformity with the regulations, the stationary web at the bottom?—A. In the spiller, yes. They have to have it there. The evidence that was given on that point was by Mr. Coverdale who was speaking about the type of trap used in 1919.

MR. MOYER: What he says was used in 1919, which has not been identified by anybody yet.

*By the Chairman:*

Q. Do you tell the committee that is not proper under the present regulations, to have this stationary web across the bottom of the trap?—A. In the spiller it is quite permissible. I do not think anything was said one way or the other about the rest of the trap being fitted—

Q. It is only used in the spiller?—A. It is only used in the spiller to bring the fish to the surface when the trap is being lifted.

*By Mr. MacNeil:*

Q. It is on the inside of the trap. That is what the chairman says. It is on the inside, wherever the apron may be?—A. Oh, no.

*By the Chairman:*

Q. My idea was this web was across here and the apron on being let down met that web. That is what Mr. Coverdale said. I should like to know if that is correct, and is the regulation observed?—A. The present place where the apron is lifted is nowhere near where—there is no bottom opening at the mouth of the outer heart, and the inner heart; may be web at the bottom of the pot.

Q. In the spiller?—A. Certainly not at the outer heart.

MR. FOUND: I think there is confusion there. I think I can clear that so far as Coverdale is concerned. If you take this as being the spiller there is an entrance to the spiller that is well up from the bottom. When the fish come out of the pot into the spiller that is closed. He at times was speaking of that and also at times was speaking of the apron. Now, one may be open and the other closed; that is, when they want to empty the spiller—that is

[Mr. A. J. Whitmore.]



this little thing there—then the apron would be let down so the fish could not get out of the spiller. The apron is to prevent these going in there. I think the chairman had in mind what Coverdale was talking about so far as the entrance to the spiller is concerned, which they could drop at any time, and which did come up from the bottom.

*By Mr. Moyer:*

Q. Where is the apron?—A. Here. The witness has told you.

Q. That is where the apron is on this trap?—A. And the apron on the trap that Mr. Coverdale was speaking about would be here, because this lead would come out to there and the entrance that they were coming in would be there. But he was also speaking about this one. It was clear to me there was confusion in the minds of this committee in regard to this entrance and the closing and opening of it. It was confused with the closing and the opening of the trap, I may say.

*By the Chairman:*

Q. Dr. Found, the closing of this apron in here had nothing to do with the liberation of the fish. Once the fish are in this place here they are in there for good. What we are interested in is whether the apron is let down for the protection of the fish?

Mr. FOUND: That is true.

The CHAIRMAN: This is where you let down the web?

Mr. FOUND: Yes.

The CHAIRMAN: Does it go to the bottom?

Mr. FOUND: Yes.

The CHAIRMAN: It completely shuts it off?

Mr. FOUND: The regulations provide that; it all goes to the bottom.

Mr. REID: If the trap is only on one side, on the west side, does the lead go right up to the entrance of the pot? There on that plan the lead only goes up to the middle of the inner heart.

Mr. FOUND: Yes.

Mr. REID: I was wanting to know if you just had the west side would the lead go right up to the big area?

Mr. FOUND: With this thing off there would have to be a door right along there or you would cease to have a trap.

Mr. NEILL: When were you last there?

Mr. FOUND: I was not out on the trap, but I was there last year. I have been on several of these traps.

Mr. NEILL: You were out on the trap?

Mr. FOUND: I was not out; it was too rough.

Mr. NEILL: You have not seen a trap for how many years?

Mr. FOUND: A number of years.

Hon. Mr. MICHAUD: We were on a trap, not that one, but another.

Mr. NEILL: Mr. Found says it is many years since he saw these traps. You did not see what you are talking about. All right; you were in the neighbourhood.

Mr. FOUND: If I failed to make it clear, I am sorry. I was just trying to make it clear to the committee that there are two entrances. One is merely an operating entrance, and there not from the standpoint of efficiency of the trap as a catching apparatus but merely to make it convenient from the standpoint of operating. The other is the protective one, the apron that is at the entrance.

Mr. MACNICOL: The protective apron goes right down to the bottom?

Mr. FOUND: Yes.

Hon. Mr. MICHAUD: That is the regulation. The department has an inspector there to-day to see that it is observed, and we are quite satisfied with his work. Those who are not satisfied with the work of the inspector made a request, and we suggested that one of their own men should be appointed as an honorary inspector with all powers to supervise and to see that the rules were observed, to see that the regulations were observed. So far we have no report that our inspector is not doing his work properly.

Hon. Mr. TOLMIE: You did that to remove the doubt.

Hon. Mr. MICHAUD: Yes; and if anyone else wants any more honorary inspectors we will give them as many as they want

*By Mr. Green:*

Q. You have heard the evidence given that the trolling, particularly for spring salmon, has been practically wiped out in the district by reason of the traps. Would it not be possible by regulation at least partially to remedy that situation?

Hon. Mr. MICHAUD: Put it the other way. Ask him if the present regulations make it impossible for trollers and gill netters to operate.

Mr. GREEN: That is not the question I want answered.

Hon. Mr. MICHAUD: I think that is the question.

Mr. GREEN: I think I put the question in the way I wanted it. I want an answer to that question.

Mr. MOYER: Would it not be fairer to ask the witness?

Mr. GREEN: This is the way I want to ask the question. If you want to change it after, you may do so.

Hon. Mr. MICHAUD: I am sorry for interfering with it.

The WITNESS: There are two ways the regulations can be changed whereby those trollers at Becher Bay—only a few of them—could probably get a few more fish. The spring salmon to which you are referring, as you know, come in from the ocean largely on a route following down the British Columbia coast, and all the way from Alaska right into the Columbia river spring salmon are being caught by trolling. If there was some regulation that did not take so many on the coast there, more would come into the Juan de Fuca Straits.

*By Mr. Green:*

Q. You say there are ways the regulations can be changed. What are they?—A. More curtailment of the trolling catch—you want more fish to be available for these trollers at Becher Bay. Spring salmon can only be caught once, as with other kinds of fish and if caught at some other point along the coast, they cannot be caught at Becher Bay.

Q. I mean in regard to the traps. Is it not possible to make regulations in regard to the operation of the traps so there will be more spring salmon available for trollers?—A. Regulation of the traps. You suggest an opening might be one way.

Q. I am not making any suggestion. I want your idea as to what changes might be made to bring about that improvement for the trollers?

Mr. TAYLOR: Is it definitely established—

Mr. GREEN: Wait a minute; I want an answer to my question.

Mr. TAYLOR: All right; he answered you, didn't he?

[Mr. A. J. Whitmore.]

*By Mr. Green:*

Q. Cannot you answer that question?—A. I do not know; it is a question of making more fish available.

*By Hon. Mr. Tolmie:*

Q. How many trollers are there up the coast?

Mr. GREEN: I want my question answered first if I may have it. If the witness cannot answer it, all right, if he can answer it, let him do it.

Mr. TOMLINSON: It is pretty difficult.

The WITNESS: More fish can be made available to the people by regulating trolling along the west coast of Vancouver and by stopping trap fishing at Sooke and purse seining.

Mr. GREEN: We know that.

Mr. MACNICOL: The purse seiners would fight against that.

*By Mr. Green:*

Q. What is your answer to that question?—A. That is it. More fish can be made available by regulating——

Q. How can you bring about that situation so that there would be more spring salmon available by regulation of the traps?—A. There could be close seasons enforced on all trolling, for instance——

Q. No, dealing with traps?—A. Additional close seasons could be enforced in regard to the traps.

Q. Are there any other ways there could be more fish made available for trollers?

Mr. MACNICOL: I suppose stop gill netting.

The WITNESS: That could be regulated too.

*By Mr. Green:*

Q. There is no gill netting in that area, is there?—A. Oh, no.

*By Mr. Neill:*

Q. Could that area be gill netted or trolled?—A. Trolling operations are carried on around there in a small way.

Q. And have been in the past?—A. Yes.

Q. Gill netting?—A. Has been, several times; gill netting——

Q. Did you ever hear of it being done?—A. Oh, now——

Q. Mr. Coverdale gave evidence to the effect the results have not been satisfactory.

*By Mr. Moyer:*

Q. How many trollers are there up the west coast?

*By Hon. Mr. Tolmie:*

Q. From the mouth of the Columbia river up?—A. For the British Columbia coast off Vancouver Island in the year 1935 there were 560 odd troller licences, 563, possibly.

*By Mr. Neill:*

Q. More than that, because they come from other districts, don't they?—A. If they do they are transferred.

*By Mr. Green:*

Q. What change can you make in the close period so there will be more spring salmon available for the trollers?

Mr. NEILL: It is rather obvious, is it not, shut down the traps.



*By Mr. Green:*

Q. What close periods are there now?—A. Forty-eight hour close season.

*By Mr. MacNeil:*

Q. In the week?—A. In the week.

*By Mr. Moyer:*

Q. No close season for trolling?—A. No.

*By Hon. Mr. Tolmie:*

Q. Trolling exists out beyond the three-mile limit?—A. Quite so.

*By Mr. Neill:*

Q. Is there not a weather close season?—A. Rough weather, naturally.

Q. A close season?—A. During rough weather they cannot operate.

*By Mr. Taylor:*

Q. Has it been definitely established that the Sooke traps are destroying the spring salmon, Mr. Green?

Mr. GREEN: I am not the witness.

Mr. TAYLOR: I want to know if you are arguing from the right premise.

*By Mr. MacNeil:*

Q. Because of the location of the traps it has been said that it is impossible for purse seining to be carried on because of the condition of the bottom by reason of the operation of those traps? What is your opinion in regard to that?—A. As far as purse seining is concerned the evidence is the fish are not schooling.

Q. If regulations were in force to reduce the amount of offal or mutilated fish in that area, would not that help some?—A. Well,—

Q. Would it not decrease the dogfish?—A. The dogfish menace you refer to is something we have all along the coast; in many cases where traps are not operated they are there.

*By Mr. Moyer:*

Q. When the trap is closed—A. I could not say there are no dogfish at Sooke.

*By Mr. MacNeil:*

Q. Is it not common knowledge that dogfish generally congregate where there is offal?—A. Surely.

Q. If the regulation in regard to the opening in the lead were again enforced, would not that help?—A. I think I said before that possibly some few more fish would get through.

Q. If the traps were closed?—A. It is just my opinion, though.

Q. If the traps were spaced differently, what would be the effect on gill netting and purse seining operations?—A. I don't know, I am sure. You mean four grouped together close and a long space between the fifth, a stretch of seven or eight miles?

Q. Would it not give them a chance to drift and set out again?—A. The evidence shows there are five miles between two traps now, and no evidence of gill netting. What another extra few miles would bring I don't know.

Q. Is there any regulation in regard to the company about leaving the remains of piles and dumping of wire netting each season on the bottom?—A. So far as piles are concerned, no. Our regulations would apply so far as wire netting involved pollution, I suppose; I don't know.

Q. Not pollution, but interfering with purse seining?—A. Our department would not be concerned.

[Mr. A. J. Whitmore.]

The CHAIRMAN: We have officials of the department here now, Dr. Found and Mr. Whitmore. There is one thing that the committee would like to be clear on. It has been said repeatedly all along that these fish are schooling here where the traps are set. Personally, I do not believe that is a correct statement or a correct impression to gather from the evidence.

Hon. Mr. TOLMIE: The same here.

The CHAIRMAN: Our experience in the east—I think the habits of fish are the same all over—is that fish only school when they come to the grounds that instinct leads them to for spawning purposes. They school and spawn there and the spawn is deposited in the places where it will naturally reproduce. This committee has been led to believe that these salmon are schooling there all the time. I do not believe for one moment that these fish are schooling in the sense that we know it in the east. I believe that these fish school only when they come to the natural spawning grounds. I understand that the salmon are very instinctive along that line. They go to their different rivers every year, and a different species to their own rivers. I should like to know from the officials of the department if these fish are schooling and spawning there all the time.

Mr. REID: Dr. Found can answer that.

Mr. FOUND: No, Mr. Chairman. The salmon after being hatched and spending its river life, which is from one to three years, depending on the areas, goes to the sea. Just where it remains when it is at sea we do not know.

The CHAIRMAN: To spawn?

Mr. FOUND: Not to spawn. The spawn is the eggs out of which the young fish are hatched up the rivers. These young fish remain in the fresh waters until they are in their second year, sometimes until they are in their third year.

Mr. REID: Don't you think you should explain to the committee the difference in the varieties of salmon? Our steel-head compares to the salmon in the east. The salmon in the east spawn every year and live; whereas in the Fraser river when they spawn they die. I think you should explain that.

Mr. FOUND: That is also true; but it is also true that the young remain in the fresh water until it reaches the stage at which we say, broadly, that it goes to sea. We speak of it as a smolt.

The CHAIRMAN: If this spawn or eggs are put in the fresh water, at the head of the rivers to hatch and reproduce, how is that they spawn at Sooke?

Mr. FOUND: They do not,

The CHAIRMAN: They spawn.

Mr. FOUND: They do not—if you will give me a moment, I think I can tell you the story in a paragraph. The young, after being hatched in the fresh waters of the river remain in the fresh water until they reach the sea-going stage, if you like, which may be different with different types of salmon, and in different rivers for the same salmon. It would be too intricate to say more than that. When it goes to sea it disappears into the deep and comes back when the impulse for reproduction moves it at sea. It comes in feeding for a certain length of time. For instance, on the west coast in feeding areas, and what are known as the Swiftsure Banks which are off Cape Flattery. They would be feeding there, schooling, gathering in bunches and feeding and then moving on towards their spawning rivers. Now, in that movement of fish sometimes you get them schooling in places off the coasts, what is called schooling on the west coast. I know what Mr. MacLean means. He has such things as smelts in mind, which have different habits so far as these fish are concerned. It is there that the purse seines must get them, when they see them jumping in the water. They are together, schooling up, and travelling along to a certain extent. As they approach nearer to the river and the spawning grounds they stop to feed, and then they ascend to the river and remain there. The rest of it we know. But it is not a

fact that schooling as they speak of it on the west coast is a spawning condition. It is merely fish gathering up and approaching the rivers.

Mr. REID: Congregating in large numbers?

Mr. FOUND: Yes.

Mr. HILL: Fish schooling and travelling in schools are two different things entirely. When we refer to schooling in the east we mean schooling for spawning. They school on the spawning ground and they remain in one place. They do not leave that area at all. They will travel in schools up a river by the thousands, two thousand, three thousand.

Mr. FOUND: Herring will do that. They school and spawn in the salt water.

Mr. TOMLINSON: Is there a possibility they do school at Sooke?

Mr. FOUND: I do not think so. Mr. Chairman, the peak years will show how many fish were caught. The last big year there were over two million cases of sockeye salmon alone put up on the Puget Sound side and the Fraser river side. Just imagine what would have happened to these traps if the fish moving in these areas where the fish were taken were all passing along by these traps.

Mr. MACNEIL: Dr. Found, are not the traps considered to be located in a particularly fine spot, because experience has shown that the fish congregate in these areas in large numbers; whether you call it schooling or not there is a concentration of fish in these waters.

Mr. FOUND: These traps are located as any fishing appliances are operated at a place where they will intercept as many of the passing fish as possible, because that is what traps are seeking to do, is it not?

Mr. MACNEIL: Is the same principle adopted in regard to purse seining?

Mr. FOUND: No matter whether schooling or passing along.

Mr. MACNEIL: Is it not the same principle as that of purse seining?

Mr. FOUND: No, it is not the same condition. The purse seiner has a travelling trap; and he cannot be setting his trap all the time. It involves too much loss of time; and experience has shown him that he will not make a catch unless he knows there is a certain amount of fish there, bunching up for any particular reason. Then he makes his set. The trap is set to intercept passing fish.

Mr. MACNEIL: Having regard to their catches, in fact, do they not successfully intercept quite a large percentage of the movement of fish?

Mr. FOUND: A very very small percentage of the fish. To satisfy yourself in that regard look at the catches of fish which are made after they pass along beyond that area. And I again say, what would happen to these traps if ten per cent of the fish passing in there were intercepted?

Mr. MACNEIL: Considering the length of the lead and the number of times they lift the trap, would you not say the number of fish lifted as a result of the fishing on an average day is in fact a considerable concentration of fish?

Mr. FOUND: Not a concentration, the passing fish; I would say the passing fish. And again the time the traps are lifted, as the seines are set, depends on the catching that takes place. The catching is watched. The traps may be lifted once in a week; they may be lifted once in a day; it all depends again on just what is happening in that particular area.

Mr. MACNEIL: Does not experience show a greater concentration of fish in these waters than you would have if the traps were set in more swiftly moving waters?

Mr. FOUND: Well, Mr. Chairman, I would say this: that no one would build a trap or any other fishing equipment in an area that he did not think was the most advantageous.

[Mr. A. J. Whitmore.]



Hon. Mr. TOLMIE: Which is the more effective method of catching fish, the purse seine, or the trap?

Mr. FOUND: Well, again, Mr. Chairman, that would depend on conditions. If you ask which is the more difficult method of fishing to control and to safeguard the fishery there, then by long odds purse seining is the most difficult method of fishing for certain.

Mr. NEILL: That is not what he asked.

Mr. FOUND: No, it was not. That is as near as I can come to the answer of it.

Hon. Mr. TOLMIE: The purse seine will follow up those so-called groupings or schools and make several catches in twenty-four or forty-eight hours.

Mr. FOUND: Quite so.

Mr. MACNEIL: Evidence shows that assurance was given to the organized fishermen, the various interested parties in British Columbia, that the department was prepared last year to discontinue the further issuance of those licences.

Mr. FOUND: Yes.

Mr. MACNEIL: Now, the department has reconsidered that decision; is not that so?

Mr. FOUND: As a member of parliament you will recall that the matter was discussed when the fishery estimates were under consideration last year and the minister explained to the house that he had reconsidered the matter and had decided to leave it until he went out to the coast and looked over the situation.

Mr. MACNEIL: Was the change in policy in regard to the issuance of licences decided upon after all the facts were brought under review by the department? Did the department consider after a review of the facts that this change in policy was justified?

Hon. Mr. MICHAUD: I can answer that. I will answer that when the time comes. I am responsible for that.

*By Mr. Taylor:*

Q. Mr. Whitmore, I want to ask you a question or two that Mr. Green was a little diffident about asking. Has it been definitely established that the Sooke traps are destroying the springs?—A. No, it has not been definitely established at all.

Q. You say it has not been established at all?—A. No. They are catching some fish.

Q. Mr. Green based his question on that premise. I just want to refer to the statements which were issued in the early days of the meetings. These are departmental figures, are they, Mr. Whitmore?—A. Yes.

Q. And it shows there that from the year 1927 the springs caught in the sockeye traps ran as follows: I am taking them year by year: 1927, 30,148; 1928, 34,033; 1929, 22,543; 1930, 31,776; 1931, 18,991; 1932, 26,164; 1933, 19,447; 1934, 26,710; 1935, 9,810 and in 1936 the total catch of fish was not available. Now, as a matter of fact would you assume that the freedom of these fish would materially assist anybody on the coast of British Columbia? Is not that a fair way to assess the Sooke traps? It represents in 1935 1.58 per cent of the total catch. Have you any reason at all to be dissatisfied with the Sooke grab of these spring salmon?

Mr. MACNICOL: Did you say 1.58 per cent?

Mr. TAYLOR: 1.58.

Mr. REID: Caught where?

Mr. NEILL: He is quoting his figures wrong.

Mr. TAYLOR: Pardon me. In 1935 the percentage of springs as against the total B.C. catch was 1.4. 19,810 were caught out of a total of 1,341,364.

Hon. Mr. MICHAUD: That is right.

Mr. TAYLOR: That is what we are making all this fuss about, 1.46 of the total.

Mr. GREEN: That is for the whole of British Columbia, not the Fraser river district.

Mr. TAYLOR: Let us read from the 1935 report, and see. In Alert Bay, springs:

While the run of springs to Nimpkish river was light the seeding was quite satisfactory as springs were not fished to any extent in that locality. The runs to Kingcome and Knight inlets were normal, and it is considered that satisfactory numbers ascended the streams to spawn.

The run to Campbell river was considered better than the average, and the number ascending to the spawning grounds there is reported by the inspector to have been heavier than for several years. A good average run ascended Phillips river.

An excellent run occurred in the Puntledge river, and the numbers on the spawning grounds were reported by the inspector as greater than last year, and greater than for several previous years.

Now, we want to break the general argument that the Sooke traps are destroying the catch of springs.

The CHAIRMAN: Quite so.

Mr. TAYLOR: I have quite a lot of information here. We are not delving into the real statistics prepared for us by the department.

Mr. REID: I wonder if Mr. Taylor—

Mr. TAYLOR: Pardon me. I want to refer again to another matter, which demonstrates the difficulty I am having in putting my point over. When I said the Puget Sound rivers were at times teeming with fish I was told that I did not know what I was talking about. Mr. Neil interjected that I did not know what I was talking about.

Mr. NEILL: Hear, hear.

Mr. TAYLOR: When I named certain rivers, he said they were just creeks.

Mr. NEILL: You were talking about sockeyes.

Mr. TAYLOR: Just a minute. I took the trouble to discover what rivers were being affected, and by going to a gazetteer dealing with these very facts I discovered that the Skagit river rises in the Cascade Range of British Columbia, flows south to Washington, enters the Puget Sound after traversing the cascades for twenty miles through deep canyons, length about 200 miles—Mr. Neil calls it a creek—

The CHAIRMAN: It is a big one.

Mr. TAYLOR: Most of the rivers there are from 200 miles down to 20 and 30 miles in length, and not creeks. They are actually rivers, and they teem with fish in the fishing season.

Mr. NEILL: Sockeye, you said—

Mr. TAYLOR: Just one moment. I can produce evidence to the effect that the—

Mr. NEILL: Didn't you say sockeye? Sockeye do not spawn anywhere but in the Fraser river except to a very small extent. Did you not say that, Mr. Found?

Mr. FOUND: Yes.

Mr. TAYLOR: On page 413 of the Pacific Salmon Fisheries published by the United States Department of Commerce I find the following:

[Mr. A. J. Whitmore.]

"In the Puget Sound region, where it is known as the sockeye, this species ascends only the Skagit river in commercial numbers, although a small run appears in the Lake Washington system of lakes and, possibly, in the Snohomish, Stillaguamish, and Nooksack rivers."

These are rivers that I mentioned in my former talks. So if we are to go on like this we will never get anywhere. We must get down to real facts, real statistics, if I am to be flouted by the argumentum ad hominem, the same as my friend.—

Mr. NEILL: Someone translate that, please.

Mr. TAYLOR: Has been applying; then we shall not get anywhere.

Mr. TOMLINSON: Is this the witness—

Mr. NEILL: I think the member ought to speak the English language.

Mr. TAYLOR: I want to state this. I tried to get from one of the witnesses an explanation of the question of eddies, and I definitely state again that an eddy belongs to the shore line with a fast moving stream, and is not a return tide.

Mr. NEILL: Is this necessary?

Mr. TAYLOR: To controvert the evidence of some of the witnesses brought to these meetings, in places where the return tide can be distinguished, an eddy is an eddy, and is associated only with the shore line of a fast moving stream. An eddy is not a return stream, any eddies I know of have been small; they have not been very wide in extent.

*By Mr. Green:*

Q. After that question, I should like to ask Mr. Whitmore a question. During what period of the year do the springs and the sockeye run down past these traps?—A. During what period?

Q. Yes?—A. The traps are operating from May 1, and until the sockeye starts about the first week in July the only salmon taken, with probably one or two exceptions, are spring salmon.

*By the Chairman:*

Q. From May 1?—A. From May 1.

*By Mr. MacNeil:*

Q. Until when?—A. That period up until July 5, spring salmon will be largely the fish that are taken.

*By Mr. Green:*

Q. What happens during the rest of the year?—A. Spring salmon are caught from then on in—

Q. With the sockeye?—A. With the sockeye and other varieties.

Q. For the rest of the season?—A. Yes.

Q. Would it not help the trollers a good deal if you had longer close periods before July 1?—A. I suppose there would be less fish taken in the traps.

Q. More spring salmon would be available for the trollers?—A. More would get by and would be available to the trollers, to go to other places, to go to the Fraser river and maybe Puget Sound.

Q. What about cohoes?—A. Later on in the year they start running; it would be probably the middle of August or even later than that.

Q. Is there any time during which the cohoes are running and the sockeyes are not?—A. The sockeyes are largely over when the cohoes are running.

Q. The cohoes are caught by the trollers too, are they not?—A. Yes.

Q. In large numbers?—A. Yes.



Q. It would help the trollers also if you could arrange for a longer close period during the coho season?—A. There would be more fish allowed past.

*By Mr. MacNeil:*

Q. Mr. Whitmore, the traps are operating almost continuously from the April 1, you say, until—A. May 1.

Q. What is the final date of operation in the year?—A. About the middle of October.

Q. When they are opened to fish is it not true all the fish moving to that trap are caught?—A. Yes.

Q. And the only close season applied to the traps is this close season which affects sockeye fishing?—A. The weekly close season, according to the regulations, applies to all salmon fishing except trolling, the forty-eight hour close season that is set out.

Q. To springs, cohoes, bluebacks?—A. Salmon fishing.

Q. Chums, dogs?—A. Yes, forty-eight hours.

*By Mr. Hill:*

Q. Is there much drifting done in the waters after the fish pass these traps, or is it not before they get to the traps?—A. There are a few trollers at Becher Bay, maybe a dozen or so there, and many up the coast, who attempt to catch the fish that may circulate up there. There are quite a number of trollers between Nanaimo and Victoria.

Q. They are waiting for these fish?—A. Then, of course, there are a lot of trollers in United States waters.

*By Hon. Mr. Michaud:*

Q. What about the mouth of the Fraser?—A. He is speaking of the trollers. So far as the mouth of the Fraser is concerned gill netters are there.

*By Mr. Green:*

Q. Evidence has been given and is uncontradicted that the trollers are being practically put out of the fishing business all along this district.

Hon. Mr. MICHAUD: That has not been established yet to my satisfaction.

Mr. NEILL: It is sworn to.

*By Mr. Reid:*

Q. Would it be correct to state in answer—A. I do not think so.

Hon. Mr. MICHAUD: Who said it?

*By Mr. Reid:*

Q. Would it be correct to state in answer to Mr. Taylor that in dealing with percentage of catches he was speaking of spring all the way through when he quoted the total in 1935 as 19,810, and then he gives the total British Columbia catch, and pointed out it was less than 2 per cent. Would it be correct to state that the total Puget Sound catch, which amounts, according to the records I have before me, to 9,737 cases, equal to 115,725 spring salmon, plus the 19,810 caught in the Sooke traps. Would it be correct to state that the amount caught in the Sooke traps is equal to 15 per cent of the total spring salmon caught in the Puget Sound? We were dealing, as you know, with the figure of two per cent of sockeyes as compared with the Puget Sound. To get a proper per cent of the Puget Sound catch,—I am maintaining the Sooke trap in 1935 caught 15 per cent of the spring salmon of the Puget Sound run—

Mr. TAYLOR: How many fish are you taking to the case?

Mr. REID: Mr. Witmore, is that correct?

Mr. NEILL: 12·3.

[Mr. A. J. Whitmore.]

The WITNESS: That is for sockeye.

*By Mr. Reid:*

Q. What would you say with regard to the springs?—A. Between four and five fish, 20 to 25 pounds each.

Mr. TAYLOR: Will you kindly revise your figures.

Mr. REID: I will revise my figures, but I will make your figures still look sick.

Mr. TAYLOR: No.

Mr. REID: I will, if you give me a moment, because I want the committee to know Mr. Taylor is not the only one who can figure.

Mr. TAYLOR: Mr. Reid used some figures at the last meeting giving the percentages of the Sooke fish to the total fish caught in the Fraser river and the Puget Sound areas. He said he based his calculations on twelve fish to the case. Will you give us the approximate number of fish to the case in the case of all these fish? Do you know that?

The WITNESS: Yes, approximately using the basis that is used on the Fraser river.

*By Mr. Taylor:*

Q. Yes?—A. Sockeye, roughly, twelve fish to the case; spring salmon vary in size but the average I would say would be between four and five fish; pink salmon sixteen or seventeen to the case.

Q. Yes.—A. Chum salmon about eight and coho salmon about nine or ten.

Q. Then if you had to make a generalization and say twelve fish to the case you would be entirely wrong?—A. Well, it depends on the area. It may work out all right. The big factor is springs and pinks, which are so extreme in their numbers, one four and the other seventeen.

Q. It would be unwise to take such a variety of numbers and state that an average can be struck along those lines.

*By the Chairman:*

Q. What would be safe to say, in your judgment?—A. About seven or eight.

Mr. REID: Just give me time and I will make the correction. I am now ready to give the exact percentage. When one takes five spring salmon and multiplies it by the number of cases put out by the Puget Sound, and adds the number caught by the Sooke traps it makes a total of 68,485 fish, which gives the percentage of fish caught by the Sooke trap, as 3 per cent, which is one hundred per cent greater than that quoted by Mr. Taylor.

Hon. Mr. MICHAUD: Mr. Reid, I think that the witness will give a little additional information in regard to the number of fish.

Mr. TAYLOR: I had to correct Mr. Reid last time and I will do it again.

The WITNESS: In regard to spring salmon it is hard to get the exact figures as to the total number of fish caught in any year, or the total number of fish in any year entering Juan de Fuca straits. Mr. Reid is using some figures of the pack, worked back by multiplying by four or five. I have some figures here worked out. We tried to get at the figure of the percentage of the run coming into Juan de Fuca straits, that is the springs that were taken by the Sooke traps. Now, it is very hard to get at that. The figures of the catch of spring salmon that may have entered British Columbia and the state of Washington waters by Straits of Juan de Fuca are not, so far as British Columbia is concerned, at all complete. Springs are largely used in the fresh and frozen trade, for smoking, kippering, mild curing, etc., and quantities so used from this run are not kept separate from quantities of springs brought in from all the different sections of the province where they may have originated. Hence, the following figures in

respect to British Columbia are very incomplete, possibly much more so than cohoes previously referred to. The following are the best figures that are available, for 1935:

	Fish
Puget Sound waters.....	74,840
British Columbia—Sooke traps.....	19,810
British Columbia—Fraser river.....	37,604
Total.....	132,254

That, however, makes no allowances for springs that were caught in the Fraser during the spring months of the year when no canning was done at all; so these figures are not complete. I do not know where you can get complete figures of the whole catch of spring salmon that have entered the Puget Sound or the Fraser river by way of Juan de Fuca straits. The figures I have worked out for the Puget Sound waters show 56·5 per cent; British Columbia, Sooke traps, 14·9 per cent; and the Fraser river, 28·6 per cent. If we have the total figures of the Fraser river it would be much more than 28·6.

*By Mr. Reid:*

Q. May I ask you one or two questions. The statement has been made out about the fish going through the Juan du Fuca straits heading for the American side?—A. Yes.

Q. Is the only fish you tag the fish that you get from the traps and release them. Have you any information regarding that?

Mr. MOYER: We had a general statement about the tagging.

The WITNESS: Quite a lot of tagging has been done around the west coast of Vancouver Island and other points around the coast and we have obtained information regarding migration routes.

*By Mr. MacNicol:*

Q. Where do you put the tags?—A. Tags were put first on the tail. Later we have been putting tags, a metal tag, on the gill cover at the back of the head.

Q. Does it interfere with the fish?—A. No; tests have been made, and there may be the odd fish lost, but I think any fish lost would be more as the result of injury done to the fish through handling, not by reason of the tag. There is less harm done by tagging than one would imagine.

*By Mr. Reid:*

Q. You have tagged fish from the traps?—A. Yes.

*By Mr. Moyer:*

Q. Would you tell us your experience with the Sooke tag?—A. Well, we would have to review the results of the sockeye—

*By Mr. Neill:*

Q. That is the sockeyes tagged in the Sooke traps?—A. Yes. In 1918. This was an international arrangement between United States and Canadian authorities for the purpose of gathering information on the migration route of the sockeye. The sockeye were tagged at tagging stations along the route, the Sooke traps being the first tagging station. Four other stations in Puget Sound were used, the last of the four being Point Roberts, just on the international boundary. There was an award of 25c. offered for the return of any tag recovered with information as to where and how it was taken. At Sooke traps 871 sockeye were tagged.

[Mr. A. J. Whitmore.]



*By Mr. MacNeil:*

Q. What is a distinctive tag?—A. All numbered; every tag had a different number. They were fish caught in the traps there. Recaptures came from all along the generally recognized migration route right up to the headwaters of the Fraser. Full details of date and place of each recapture are shown in the official publication. In all, from the 871 fish that were tagged there were 147 recoveries. Three were from points far up the Fraser, above the commercial fishing limits; two were at points which suggested the fish were not going to the Fraser for spawning—one up in Burrard Inlet and the other away down in Puget Sound. Eight were recaptured at Sooke traps, and 136 were caught in commercial fishing operations in either Canadian or United States waters. Of these 136 fish only 14 were caught by Canadian operators; whereas 122 were recaptured in United States waters.

*By Mr. Hill:*

Q. Why give these fish to the Americans?

*By Mr. MacNeil:*

Q. At that time the American traps were operating?—A. Yes.

*By Mr. Reid:*

Q. What year?—A. 1918.

*By Mr. MacNeil:*

Q. Would it be reasonable to assume that if the same tagging were carried on a larger percentage would be taken in Canadian waters than in American waters today?—A. I think that question may be answered by giving you the percentage of the different varieties in Puget Sound in the last two years when traps were there, 1933 and 1934; that is where the sockeye were caught in Puget Sound, 54·9 per cent were taken by traps.

Q. The total pack in the Fraser river?—A. No, the Puget Sound sockeye catch.

Q. American waters?—A. In 1933 and 1934, 54·9 per cent of sockeye were caught in traps—not tagged fish.

*By Mr. Moyer:*

Q. Do you know how many traps?—A. 44·3 per cent were taken by purse seiners and ·4 per cent by gill netters, and ·4 per cent by other varieties of gear.

Q. How many traps were reckoned in the state of Washington to capture that number?—A. I don't know. The records show about 200 licences were issued each year for a great number of years.

*By Mr. Michaud:*

Q. In the State of Washington?—A. Yes.

Q. Yes; between 200 and 225, 209 was the last year?—A. That deals with sockeye.

HON. MR. TOLMIE: May I ask the minister a question. In view of the evidence that has been brought out before this committee indicating that we are only getting two per cent of the sockeye salmon and a small percentage of the others in the Sooke traps before they reach American waters, fish entering the Straits of Juan de Fuca, would it not be a good idea to make an investigation with a view to seeing what appliances, not specifying any appliances, may be used down there so as to enable British Columbia fishermen to catch British Columbia spawned fish and get more of them in the Canadian cans?

HON. MR. MICHAUD: That is what we are doing. That is why we have negotiated a treaty with United States. We have negotiated a treaty with

United States exactly for the purpose of ascertaining these facts, and we are looking forward to having the treaty working before very long.

Mr. NEILL: Any action under the treaty would be postponed for eight years, would it not?

Hon. Mr. MICHAUD: Not necessarily, no.

Mr. NEILL: That is what the amendment calls for.

Hon. Mr. MICHAUD: No.

Mr. NEILL: Introduced into the House yesterday?

Hon. Mr. MICHAUD: No.

Mr. NEILL: Does it not call for reservations to that effect, that no regulation will be made for eight years?

Hon. Mr. MICHAUD: Investigations are being made, but not eight years.

Mr. NEILL: No regulation shall be made for eight years from the date of ratification of the treaty. That was in Hansard two days ago.

Mr. TAYLOR: That does not interfere with action on the part of either of the parties.

Hon. Mr. MICHAUD: Regulations and investigations have no connection at all. Dr. Tolmie was asking about investigation, and I answered him.

Hon. Mr. TOLMIE: Two per cent is a very small percentage. We are trying to devise some means without interfering with the idea of preservation of the fish so that we can get a larger percentage of these fish before they go into American waters.

Hon. Mr. MICHAUD: That has been the policy of the government for years, and it has been continued. We are trying to get that fish and trying to increase the run of sockeye in these waters, because it is the best paying brand that we can get. The more we have the more money British Columbia will make out of them.

Hon. Mr. TOLMIE: I should like to ask Dr. Found one more question. Have you any idea at all as to the number of trollers now operating on the west coast of Vancouver Island from the entrance of the straits?

Mr. FOUND: The witness will answer that question much more readily. We have licences issued, but they move from place to place.

The WITNESS: On the British Columbia coast, the west coast of Vancouver Island, there were some 500 licences issued in 1935, 500 licences. On the northern part of British Columbia there were approximately the same number, another 600 trollers operating from Queen Charlotte islands, Hecate Straits.

*By Mr. MacNeil:*

Q. Many of whom move down on the west coast?—A. I don't think so. Some of them do so, possibly.

*By Mr. Neill:*

Q. District No. 1?—A. Very few in there.

Mr. FOUND: In the whole of British Columbia the total number issued is approximately 3,000.

Mr. TAYLOR: 2,989 trollers.

*By Hon. Mr. Tolmie:*

Q. In your tagging operations you have proven spring salmon and cohoes come from the north?—A. Yes.

Q. And the west, but sockeye you don't know at all. They come from somewhere out in the ocean?—A. Swiftsure Banks is their first indication.

[Mr. A. J. Whitmore.]

*By Mr. Reid:*

Q. What time do the traps commence fishing operations?—A. About May 1.

Q. What would you say regarding a statement just recently issued by the United States Fish Commission, which says:

The most inexcusable slaughter of immature salmon takes place in Puget Sound during the eight or ten weeks that follow the opening of the fishing season, April 15.

Mr. FOUND: That is immature cohoes.

The WITNESS: That is immature cohoes.

*By Mr. Reid:*

Q. Immature fish?—A. We have the same difficulty in our inside water, too.

Q. You will agree with that statement?—A. We do not allow cohoes to be caught at that time. It used to be May 15. Now it is June 1; we moved it to June 1.

*By Mr. Neill:*

Q. They can be caught in the traps, can they not, if the traps are open?

Mr. REID: It was the traps I had reference to.

Mr. NEILL: You allow them to put the traps in the 1st of May?

Mr. REID: It was the traps I had reference to.

*By Mr. MacNeil:*

Q. That brings me back to the point I was trying to question you on. They have close season regulations for the traps as compared with other branches of the industry. When the sockeye traps are operating there the close season regulation is applied to the traps during that period, the forty-eight hours?—A. Yes.

Q. During that period certain forms of fishing are forbidden?—A. Yes, all except trolling; everything but trolling.

Mr. NEILL: What about the bluebacks? Do you allow the traps to take them?

*By Mr. MacNeil:*

Q. When do the trollers begin to catch bluebacks?—A. 1st of June.

Hon. Mr. MICHAUD: They cannot troll then, can they?

The WITNESS: That is outside; blueback fishing is not prohibited.

*By Mr. MacNeil:*

Q. During that period traps are catching fish forbidden to other fishermen?—A. During what?

Q. During that period the traps are catching fish forbidden to other fishermen?—A. I do not quite get your point.

Q. The minister said they are not allowed to troll?—A. Yes—not allowed to troll on the east coast of Vancouver Island which goes up from Seymour Narrows to Victoria, from January 31 to May 1 each year, for blueback salmon.

Q. The reason that is prohibited is the traps—that is one species of fish?—A. Yes.

Q. During that same period the same species of fish go into the Sooke traps?—A. Yes, and may be caught by trolling.

Hon. Mr. MICHAUD: On the west coast.

*By Mr. Taylor:*

Q. And may be caught by purse seiners also, is not that so?—A. Quite.

Mr. FOUND: These immature salmon gather in certain areas.

Mr. TAYLOR: Is Mr. MacNeil referring specially to bluebacks?



The WITNESS: He was talking of them.

Mr. TAYLOR: I am interested, and it may be interesting to this committee to know about the working out of the number of fish per man caught by the various systems of fishing.

Mr. MACNICOL: That would be interesting.

Mr. MACNEIL: May I finish my question.

Mr. TAYLOR: Certainly.

*By Mr. MacNeil:*

Q. With regard to the sockeye salmon run your close season prohibited other branches of the industry fishing during these forty-eight hours in each week?—  
A. Special closures are applied in different parts of the province—

Q. During that same period to which you refer the traps only close forty-eight hours?—A. Yes.

*By Mr. Neill:*

Q. Was not there one year when fishing was shut down for ten days and the traps were not to come under that prohibition?—A. Perhaps in the Fraser river and Sooke area. That was previously explained.

*By Mr. MacNeil:*

Q. I am trying to get at the facts. It must be within your knowledge and quite clear to you that during the period of the fishing season we have a species of fish that are caught in the Sooke traps which are not permitted to be caught by any other fisherman. In a general way, what is your answer to that question?

Mr. NEILL: He has already said "yes."

The WITNESS: These are salmon trap nets, and are prepared to fish salmon, generally speaking—if you refer to herrings and odd things like that, pilchards, yes.

*By Mr. MacNeil:*

Q. I am referring to all the fish?—A. That may be so, but they are not set there for pilchards.

*By Mr. Neill:*

Q. Are herrings allowed to be caught at that time?—A. If they could keep them out of their traps they would be very glad to do so.

Q. Are herrings allowed to be caught in any other way than traps in May?—  
A. I think by gill-netting.

Q. Traps are allowed; they have the privilege?

*By Mr. MacNeil:*

Q. You admit that bluebacks are sometimes caught in the traps and cannot be caught otherwise. You would agree with that general statement?—  
A. That is what I attempted to say.

Mr. MACNICOL: I understood the witness to say that.

*By Mr. MacNeil:*

Q. Immature cohoes are caught in the traps when they are forbidden to other fishermen?—A. Fishing for immature cohoes or bluebacks to which you have reference is not prohibited on the west coast of Vancouver Island where these traps are located, but there is a weight limit however of three pounds.

Hon. Mr. MICHAUD: In order to show this is not very important, in 1935 there were 141 bluebacks caught in the Sooke traps as compared with 172,639 caught in the province of British Columbia.

[Mr. A. J. Whitmore.]

*By Mr. MacNeil:*

Q. For the purposes of conservation certain regulations are applied to other fishermen in fishing areas in regard to fishing periods?—A. Yes.

Q. These regulations do not call for the same prohibition with regard to traps; so at various periods various species of fish are caught in the traps that cannot be caught by other fishermen? Is that not true?—A. Generally, I could not say it is so.

*By Mr. Moyer:*

Q. Is it not true that that trolling on the west coast has access to these fish at the same time that the traps have?—A. Trolling is being carried on on the west coast of Vancouver Island.

*By Mr. MacNeil:*

Q. Trollers do not take everything that comes along; whereas the traps take everything that comes their way?—A. Quite so.

The CHAIRMAN: What Mr. MacNeil is endeavouring to establish is that these traps fish continuously night and day, almost winter and summer, I was going to say.

Mr. MOYER: But they do not.

Mr. MACNEIL: When they are fishing.

Mr. HILL: Is it not true the seines catch everything just the same? Some fish can be released from traps.

Mr. REID: Seines certainly catch everything.

The WITNESS: Anything that comes within the scope of the seine will be taken.

The CHAIRMAN: What is the wish of the committee in regard to this witness?

Mr. NEILL: I want to ask some questions but I have not had a chance to do it. I will not take long if I am not interrupted.

Mr. TAYLOR: I want to put in this calculation; but if we have a time allowance—

Mr. MACNEIL: Is it a question to the witness?

Mr. TAYLOR: It was brought up by the questions asked by Mr. MacNeil of Mr. Whitmore with respect to the bluebacks. My attention was called to the list that I had developed in which it was shown that per man of the traps, only  $3\frac{1}{2}$  bluebacks are caught,  $3\frac{1}{2}$  bluebacks per man. I do not think there is a great deal in that, and I do not think we should make a fuss about the traps in that connection.

Mr. NEILL: That is not a question; it is a statement which may or may not be correct.

Mr. TAYLOR: Well, my figures are all here and I will place them on the table for anybody to go through.

Mr. NEILL: You are not giving evidence; this man is giving evidence, at least he is trying to.

Mr. TAYLOR: I will defer my talk until I get the opportunity to put it right before you.

Mr. NEILL: We should deal with the witness first, and gather together and do our discussion afterwards.

The CHAIRMAN: We shall see that you are given the opportunity to present your statement. It seems to be about lunch time. Apparently we cannot get through with this witness to-day. What is the wish of the committee with regard to meeting again?

Mr. NEILL: To-morrow.

Mr. MacNICOL: Before we adjourn I should like to add a word of appreciation of the manner in which the minister has become familiar with his department.

The committee adjourned at 1 p.m. to meet again Friday, March 19, at 11 o'clock.



Canada, Marine and Fisheries, Standing  
Committee on, 1937  
SESSION 1937  
HOUSE OF COMMONS  
CAIXE 17  
-M12

STANDING COMMITTEE

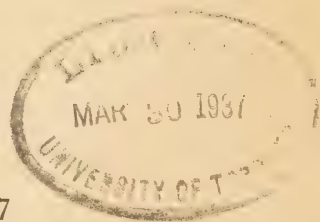
ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 12

FRIDAY MARCH 19, 1937



WITNESS:

Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa, Canada.

OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1937



## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

COMMITTEE ROOM 429,

FRIDAY, March 19, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock a.m. this day, Mr. A. E. MacLean, Chairman, presided.

The following members of the Committee were present: *Messieurs*: Brooks, Farquhar, Green, Hanson, Kinley, MacLean (*Prince*), MacNeil, MacNicol, McCulloch, McDonald (*Souris*), Michaud, Neill, Reid, Stirling, Taylor (*Nanaimo*), Telford, Tolmie, Tomlinson, Tustin and Venoit—20.

*In attendance as witness*: Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

*Also present*: Dr. Wm. A. Found, Deputy Minister of Fisheries, Ottawa, and Mr. L. Clare Moyer, K.C., representing and counsel for the Sooke Harbour Fishing and Packing Company, Sooke Harbour, B.C.

The Chairman read into the record of this date a letter received from Mr. G. A. Cruickshank, in confirmation of the telegram put into the record of yesterday's evidence, protesting against the issue of trap licences in B.C., and reasons therefor. (See evidence.)

Mr. A. J. Whitmore recalled.

Witness questioned at first by Mr. Moyer and the Committee generally, and later, in particular by Mr. Neill.

Dr. Found was questioned in respect to certain matters, and the policy of the Department in such regard, and in reply he gave a brief outline of departmental regulations from 1904 to 1936.

Examination of the witness continued until one o'clock.

The witness retired.

After discussion the Committee decided to meet again on Monday, March 22, at 11 o'clock a.m.

The Committee adjourned by general consent.

E. L. MORRIS,

*Clerk of the Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS,  
Room 429,  
March 19, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock a.m., this day, Mr. MacLean (*Prince*), Chairman, presided.

The CHAIRMAN: The committee will please come to order.

Mr. A. J. WHITMORE resumed the witness stand.

Mr. NEILL: Q. Were you able to get those forms?—A. Yes.

The CHAIRMAN: I think Doctor Tolmie desires to ask the witness a question.

Mr. TOLMIE: Adverting to the question I asked yesterday, I would like to ask the witness again with a little further extension whether he has any figures showing the increase in the number of trolling licences in British Columbia waters for the last ten or fifteen years, and what proportion of those were on the coast.

Mr. NEILL: What proportion were on the coast?

Mr. TOLMIE: Yes, the west coast of Vancouver Island and adjoining waters.

The CHAIRMAN: Before the witness answers I would like to put on the record a letter that came in yesterday from Mr. G. A. Cruickshank, dated at Matsqui, B.C., March 12, 1937:—

“The Corporation of the District of Matsqui,  
Municipal Hall,  
MOUNT LEHMAN, B.C.,  
March 12, 1937.

A. E. McLEAN, Esq.,

Chairman of the House of Commons Committee on  
Marine and Fisheries.  
Ottawa, Ont.

DEAR SIR,—I beg to confirm telegram sent you this morning:—

‘Matsqui municipality strenuously protests against issuance of fish trap licences in B.C. waters.’

My object in wiring you is to protect the interest of the small fishermen, many of whom are citizens of this municipality. These men claim that if trap licences are issued it will have the effect of ruining the gill net fishing on the Fraser river by which they secure their livelihood. It will also have the effect of throwing numbers of them out of work and as they have been fishermen all their lives they would experience great difficulty in finding work they could successfully follow.

There can be no question but that numbers of them would also be thrown on relief, a thing which all governing bodies are anxious at the present time to avoid.

Under the circumstances I would again protest against these trap licences being issued and thus protect the small fishermen, about 80 per cent of whom are married men with families whose living is at stake and whose capital is all tied up in their boats, nets and other equipment.

Yours very truly,

(Sgd.) G. A. CRUICKSHANK,  
Reeve.

Mr. TAYLOR: Have we not already decided that for the rest of British Columbia, and are we not now concerned with the Sooke area?

The CHAIRMAN: Yes, there is a resolution to that effect.

Mr. NEILL: They are asking about traps at the Sooke and not all over.

The CHAIRMAN: The letter says: "Matsqui municipality strenuously protests against issuance of Fish Trap Licences in B.C. waters."

Mr. MOYER: That is a very different subject.

Mr. NEILL: The whole contains a part.

The CHAIRMAN: Did you get the answer to Doctor Tolmie's question?—A. Yes. There has been quite an increase in the number of trolling licences issued in British Columbia in the last twenty years. As a matter of fact, trolling is probably the latest form of fishing developed. The figures show that in 1917 there were 1,370 trolling licences issued for the province, and in 1935 the number was approximately 3,000; the increase has been gradual through that period of time. The increase has been pretty well distributed along the whole of the province, although unquestionably the portion of the fishing areas off the coasts of Vancouver island and Queen Charlotte islands have received greater attention than other parts; and the increase in the number of fishermen probably does not altogether indicate the increase in the number of fish they are taking. In this period of time there has been improvement in boats and a greater knowledge has been gained with respect to the fishing banks, and their gear has been improved, so that there are to-day a lot more fish taken by trolling than there were say in 1920.

Mr. TOLMIE: Q. The licences enabling them to cover a greater area?—A. The licences are issued for the coast, with the privilege of transfer to another area. The figures are available of the spring salmon catch and show that the catch to-day is much larger than it was fifteen or twenty years ago. For instance, in 1920 the total spring catch in the province was 641,000 fish, whereas in 1935 it was 1,340,000. The catch in these two years by the different methods of gear was as follows: By trolling in 1920, 199,492 fish; in 1935, 1,048,667, or a catch five times larger in 1935 than in 1920.

Mr. NEILL: Q. How many times was the number of men increased?—A. Not quite twice. Then: Gill nets in 1920 took 398,000 fish, and in 1935 they took 245,000 fish, or a shrinkage of about one-third. Purse seines took a relatively small quantity in 1920, 4,600, and in 1935, 27,000 fish; that catch is up, of course. Drag nets, 1,800 in 1920 and none in 1935. Trap nets, 37,000 in 1920 and 19,800 in 1935, so the catch was cut approximately in half.

Mr. REID: Q. Were there as many trap nets operating in 1920 as in 1935?—A. No; there were more trap nets operating in 1920 than in 1935.

Mr. TAYLOR: Is that for one type of fish?

Mr. NEILL: For spring salmon.

Mr. TOMLINSON: I understood that 1935 was not a good year for spring salmon?—A. The spring salmon catch in 1935 was more than in 1936 by traps, and as to pink salmon the 1935 figures which were being used in the committee were much larger than in 1936.

Mr. NEILL: Q. Something like three hundred and fifty thousand as against two?—A. Yes.

Q. I thought you said the trollers' licences went up from about 1,000 to 3,000?—A. 1,370 in 1917.

Q. That is more than double?—A. Yes.

Q. It is about three times as many?—A. Yes. In 1920 there were 1,855.

Hon. Mr. MICHAUD: Then it did double.

Mr. TUSTIN: That is a pretty good figure, three times 1,370.

[Mr. A. J. Whitmore.]



The WITNESS: Some members may wonder about these figures. These figures are the figures for the province. Some members may wonder what bearing they have on the run into the Juan de Fuca straits. Tagging has been done all along the west coast of Vancouver island and Queen Charlotte islands, and shows that the spring salmon are moving southward largely to the Columbia river, and probably sixty per cent of the recoveries of tagged fish have been in the Columbia area. The recoveries have been largely from areas adjacent to Juan de Fuca straits, in the commercial areas of the Puget sound, and the Fraser river.

Mr. REID: Q. I would like to ask two questions: First, is the catch of the spring salmon going down? Secondly, is it due to the impediments in the fishing in the Columbia river?—A. A dam is being placed there, but there has not been time yet to see what effect it will have, and whether the measures they are taking to provide for the movement of salmon beyond to spawning areas is going to be effective or not.

Q. We depend to a certain extent on the propagation from the Columbia river for spring salmon just the same as the Americans depend on the Fraser river for the sockeye salmon?—A. There is no doubt that if the Columbia river spring run is destroyed our trollers on the west coast of Vancouver island and Queen Charlotte islands will certainly feel it.

Mr. TAYLOR: Q. Have they not made elaborate provision for fish ladders up the Columbia?—A. Yes.

Mr. REID: Q. They have not been able to bring the small fry down?—A. I believe they are endeavouring to provide for that feature also.

Mr. NEILL: Q. It is an eighty foot fall, is it not?—A. Something like that.

The CHAIRMAN: Yesterday Mr. Neill said he would like to ask the witness a few questions before he retires.

Mr. NEILL: Yes.

Q. You made a couple of statements yesterday that I think you should be given an opportunity to modify, because I do not believe in holding any person down to what he may say in a casual way. There are two statements I desire to ask you about: You said you received no complaints about the officer opening and closing the trap at the Sooke?—A. I said I had received no complaints from our fishery guardian or from the honorary fishery guardian.

Q. You would hardly receive complaints from the fishery guardian of whom people were complaining. I was asking if you had received any complaints as to the action of this man, and you said, No. That is the man you pay to see that those traps are shut, and I understand you to say you have not received any complaint as to his method of doing it?—A. No; I have not.

Q. Who recommended Captain Whitla to be the honorary officer there?—A. I think the name came out in the previous evidence. Was it the Metchosis Conservative Association?

Q. No. Mr. Dickie recommended him. You will find Mr. Dickie's letter on the file.—A. The association recommended him.

Q. Here is a letter from Mr. Dickie to the Deputy Minister of Fisheries (page 36), dated July 21, 1935, reading in part as follows:—

Dear Mr. Found:

Yesterday I was met by a delegation of two gentlemen from Sooke, Messrs. E. S. Johnson and Capt. G. T. Whitla and I was fully convinced that irregularities prevailed at Todd's traps and I would respectfully request that Captain Whitla be appointed Honorary Guardian to the interest of the fishermen at that point and it is their wish that this be done.

Mr. MOYER: The association recommended it.

Mr. NEILL: The association recommended it to whom?

Mr. MOYER: To the department.

Mr. NEILL: This letter is dated July 21, 1935. On June 20, Mr. Dickie had written to the same effect enclosing a letter from the Metchosis Conservative Association, from which I quote:—

We are given to understand that the traps should not be operated during thirty-six hours of each week; this we understand is not strictly adhered to. The obnoxious part being, we are led to understand, that, the government inspector hesitates to enforce the observance of conditions as it might jeopardize his post.

That is a very definite complaint, and Mr. Dickie forwarded it on and was fully convinced that irregularities prevailed at Todd's traps. I submit that that is a very definite complaint. It may or may not be justified, but it is certainly a complaint. Then we find Mr. Found giving orders that it be investigated?—A. What I said in my evidence yesterday was that since the honorary guardian had been appointed there had been no complaint from him that the traps were being irregularly operated. Prior to that I said that there had been some doubts in the minds of some association which I did not name at the time that the law was not being properly carried out. However, they made no positive statement, and there was nothing we could use to prosecute in court.

Q. But you are saying now that complaints were received?—A. Yes; I think I indicated that yesterday.

Q. I did not think you did.—A. Oh, yes.

Hon. Mr. MICHAUD: Yes.

*By Mr. Neill:*

Q. I was asking about the matter prior to the appointment of the honorary guardian. Next, you said no report had been received from Captain Whitla?—A. I qualified that and said that there was one report from him dealing with his views on opening the traps.

Q. You qualified that did you? Here is his letter, and it went beyond that (page 119):—

Rocky Point House, R.R. 1,

Victoria, B.C., 12. 3. 36.

Dear Mr. Found,—

I hope on your return to Ottawa last autumn you received my report on the Sooke Fish Traps which I requested Mr. Dickie to forward. I hope the Dominion Government will not reconsider their intention of closing these traps next year. We can hardly expect the American Government to keep their traps closed unless the Canadian Government does the same.

Then he goes very fully into that and explains why it would be to the benefit of the district and everybody else?—A. I do not think that report was ever received.

Q. He said he had requested Mr. Dickie to forward it.—A. I do not think it was received.

Q. When the honorary inspector writes to Mr. Found and says, in effect: "I forwarded the report by Mr. Dickie," and the report was not received would you not make some investigation to find out what had become of it? Surely the report of a fishery officer is of importance? Anyhow, he says they are definitely against the traps being opened, so you cannot say he did not make a report?

Hon. Mr. MICHAUD: Yesterday you were discussing whether the law regarding the closing of the apron was observed or not, and it was stated by Mr. [Mr. A. J. Whitmore.]

Whitmore that no complaints about non-enforcement of the regulations had been received since the honorary fishery inspector had been appointed.

Mr. NEILL: You see, Mr. Whitla made a report in connection with the lead, dated 12.3.36 (p. 118):—

Would it not be possible to use this system with the Sooke traps. I consider the apron very unsatisfactory as it only holds the salmon back for the closed period and when raised they all enter the trap.

That was a very definite recommendation. He also said in the first paragraph of that letter:—

"I have been informed that the method employed by the Americans to close their traps for the forty-eight hour period each week is to have the tunnel from the Pot to the Spiller hung up and one side of the Pot lowered, this appears a very simple method of allowing the salmon to escape."

Q. That is a very definite recommendation. Was anything done about that?  
—A. Is the reply included in the correspondence?

Q. Yes, Doctor Found says (p. 138):—

"I note your remarks as to the desirability of requiring a different method of closing the traps during the weekly close time and they will be kept in mind in the event of reconsideration of the decision aforementioned."

The decision was not to have traps at that time, and he made the point that if they were not going to have traps it was not worth while having the open season, and he said it would be kept in mind. In view of the fact that they were allowed traps was there anything done about putting in that method of opening the traps at the week-ends?—A. No. There has been no change in the regulations.

Q. Your officer makes a very definite report recommending that you follow the methods used on the American side, but nothing has been done about it?

Hon. Mr. MICHAUD: And there is nothing in the law that says we should, without further investigation.

Mr. FOUND: I stated that it would be considered and there is no indication that it was not considered.

Mr. NEILL: Has any change been made?

Mr. FOUND: No; but it is a matter for consideration.

Mr. NEILL: "The road to hell is paved with good intentions."

Mr. FOUND: That may be, but it will be dealt with having regard to all the conditions involved.

Mr. NEILL: I would like to get the answers to these questions from Mr. Whitmore who has been sworn.

Q. Which method of fishing gives most employment, traps, gill nets or seines?  
—A. Gill nets, of course.

Q. Which method is most profitable to the owner, traps, seines, gill nets or trolling, in your opinion?—A. In the event of a favourable trap site, I imagine the bigger return would come from the trap.

Q. Then I want to draw your attention to pages 49 and 50 of the return, which is a letter from Mr. J. A. Motherwell. What is his position?—A. Chief supervisor of fisheries for British Columbia.

*By Mr. Neill:*

Q. He writes to Doctor Found under date January 13, 1936, which letter is on file here, and says:—

"The fact that the traps and seines were permitted in the State of Washington for the purpose of intercepting the Fraser run, and that



neither of these varieties was permitted in District No. 1, certainly justified the operation of the traps for the purpose of intercepting the run before passing into American waters. The present situation, however, is that the traps have been taken out of Puget Sound waters and purse seines permitted between the Fraser River and the International Boundary and this fact would seem to remove the reasons which justified the traps on the southwest coast of Vancouver Island, to a very large extent. The fishermen of a course feel that the Department would not be keeping faith with them if the traps on the Canadian side are to be continued."

Then he says:—

"During the season 1935, however, the percentages were fairly even and it is possible that the elimination of the traps in Puget Sound waters may have been the chief factor in this situation.

The catch of sockeye by the Canadian traps this year represents approximately five per cent of the catch made by the fishing gear in Puget Sound and in the Fraser River district combined."

Then I particularly desire to call your attention to the last clause of Mr. Motherwell's letter:—

"It would seem hardly reasonable, however, to dispense with the traps on the Canadian side without first having given the owners at least one year's notice in order that the equipment used in the construction of the traps and the investment represented thereby might be used up."

I would like to ask you if the terms of that letter which I have quoted exactly would not suggest that in his opinion he anticipated the traps would be forbidden? He says it would be reasonable to give them one year's notice. What would your opinion be of that letter?—A. That report you have just read was a report of the chief supervisor of fisheries on certain changes, suggested by different individuals, in the British Columbia fishery regulations for the year 1936. He was reporting on them. Those are the views of the chief supervisor on that particular proposal.

Q. Then I would like to call your attention to page 21 of Hansard No. 1 of the minutes of these proceedings, where I put the following question to Doctor Found:—

"Q. I would just like to ask one more question, Mr. Found: you have made your own statement and by it you have demonstrated that there are four traps operating on the Canadian side, and I think it has been shown that on the American side there were somewhere around 219 traps. I would like to have your opinion on this point, would it not be good ball on our part to give up these four traps if the Americans are willing to give up their 219 traps; would not the resulting benefits to our Fraser river fishermen be enormous?"

Doctor Found's answer was:—

"A. If it were a condition that these traps were to go or the United States' traps would come back; or to put it the other way, if these traps were eliminated they would not be reinstated on the Washington side, I am bound to say that it would be in the interest of the Canadian industry for these traps to go."

Do you agree with that statement?

Mr. FOUND: Would you permit me to interject there? The proof of that was not seen by me before it was printed, but I had in mind saying and the whole trend of my argument that day was in substance that we did not want to see the traps back on the American side.

[Mr. A. J. Whitmore.]

*By Mr. Neill:*

Q. Will you answer the question, witness?—A. Yes, I would agree with that statement.

Q. Presumably you are familiar with the circular letter got out by Major Motherwell a few weeks ago indicating very definitely further restrictions on the sockeye fishing in the Skeena river?—A. Yes.

Q. And he went on to say that even more drastic steps might be taken.—A. Yes.

Q. And that would indicate that certain gill netters would be thrown out of employment or their operations very heavily restricted, and the Skeena river is the next biggest to the Fraser river for sockeye?—A. Yes.

Q. And therefore it would it would be well for the department to look around and try to find out some other outlet for gill net fishermen?—A. These regulations for the Skeena river to which you refer provide for a fairly long fishing season, not as long as usual but a fairly good fishing season, and the fishermen will have that fishing season unless there is a very pronounced failure in the run.

Q. Major Motherwell says he anticipates even more drastic restrictions.—A. I do not think he says "anticipates."

Q. In his circular letter dated March 2, 1937, he said:—

"It will be remembered that on November 8, 1934, the industry was advised that due to an unusually poor run of sockeye salmon to the Skeena river in the seasons of 1933 and 1934, it was probable that some unusual measures would be adopted. . . ."

Then he sets out these restrictions, and concludes as follows:—

"Conservation of the run of the 1937 cycle will inevitably require unusual measures and all concerned should be aware that in addition to the above mentioned reservations, measures of a decidedly drastic character may be enforced at any time.

The results of fishing and escapement during the early part, probably the first two weeks of July, may indicate that much more drastic measures will have to be taken, and if this is found necessary, such will be imposed and even entire closure may be applied forthwith if deemed imperative."

You agree with me that he does indicate very drastic restrictions?—A. The restrictions indicated are very drastic, but he used the word "may" very frequently with reference to what might happen in addition to the regulations.

Q. No. Here are seven restrictions—do you want me to read them out—that will be enforced forthwith, and after that he talks about the drastic restrictions?

*By Mr. Taylor:*

Q. These restrictions are all as to conservation?—A. Yes.

Q. There is no other purpose behind them than the conservation of the fishery run?—A. No.

MR. NEILL: Certainly, but it indicates that the sockeye run in the Skeena is disappearing and these people will be out of a job.

Q. Mr. Whitmore, I have here a copy of a letter that Doctor Found sent to me—or part of a copy. I will pass it over so that you can identify it without my having to produce it, although I can produce it if necessary. You recognize that letter, do you not?—A. Yes, this is a correction of the trap net catch, that was printed in the third proceedings of this committee.

Q. I just want you to identify it. That was furnished to me by Doctor Found on February 3, or was a memorandum to Major Motherwell, who sent it

on. I want you to glance at that document and settle once and for all, if possible, the question about percentages. The hon. minister at page 255 of Hansard said he had been told that the fish in those waters could not be caught by any method other than trap fishing. The same thing was said by Mr. Goodrich at page 183, and also at page 67 of Hansard No. 3 of these proceedings:—

*By Mr. Telford:*

Q. Would it be possible to take fish in any other way?—A. I am convinced firmly that it would not be possible.

Then at page 52 of Volume 2 of these proceedings Mr. Moyer asked Mr. Goodrich:—

Q. Could you do it by seines in that vicinity?

And Mr. Goodrich answered: "No."

Now let us look at page 191 of Volume 6 of these proceedings, where the same thing happened in an even more definite form:—

*By Mr. Neill:*

Q. Doesn't he—that was Mr. Goodrich—think if he didn't get that 52 per cent of the fish which can be caught by trollers in these waters he would maintain a desirable group of troller fishermen?—A. I am certain otherwise.

Mr. MOYER: Excuse me if I correct you. The record I have here does not include the words "in these waters" after "trollers."

Mr. NEILL: Oh, yes.

Mr. MOYER: Would you mind reading that question again.

Mr. NEILL:

Q. Doesn't he think if he didn't get that 52 per cent of the fish which can be caught by trollers that he would maintain a desirable group of troller fishermen in these waters?

Mr. MOYER: You altered the position of those words in the context.

Mr. NEILL: If I did, it did not make any difference.

Then:—

Q. That is your opinion after hearing the wire I just read from the troller association?—A. Yes.

Q. Having cognizance of that wire you answer it is impossible?—A. Absolutely.

Q. Impossible?—A. Did I say absolutely impossible?

Q. You said impossible?—A. You asked me, if our traps were out if that would not sustain a white population trolling there.

Q. Yes?—A. Would we get the same quantity of fish by other means?

Q. Of comparable fish?—A. You have got my answer, sir.

Now, I want to get from you some data based on these figures. These are the trap net catches furnished by the department for 1936. You will notice that the figures for sockeye total 44,356?—A. Yes.

Q. And then the springs, bluebacks, steelheads, cohoes, pinks and chums are set out there, the whole making a total of 103,233. You will notice that the chums total 4,749 or 4.6 per cent. Now, I do not ask you to work out the percentage, but if you look at the total of 103,233, and contrast it with the total of 49,107 for the sockeyes, pinks and chums, you can easily guess that that is something less than half of the total.—A. Yes.

Q. I say it is 47.5 per cent. It must be pretty nearly that.—A. Yes.

[Mr. A. J. Whitmore.]



Mr. TAYLOR: I would like to know what you are talking about. From what are you quoting?

Mr. NEILL: I am quoting from the statement made by Doctor Found to me in a letter enclosing a letter from Major Motherwell, chief supervisor in British Columbia, dated February 3, 1937, and giving the catch of the fish at the Sooke traps for that year.

Q. Now, Mr. Whitmore, the rest are made up of springs, bluebacks, steel-heads, cohoes and pinks. We will forget about the pinks, which only numbered 3, but the rest are all trollable fish?—A. Yes.

Q. And the total of those is 54,128, which you will see is very likely to be 52.5 per cent of the figure of 103,233. Now I would ask whether in view of those figures furnished by your own department of the trollable fish that year amounting to 52.5 you think it is tenable to say that the fish in those waters cannot be fished in any other way than by traps?—A. What do you mean by those waters? Do you mean in this trap area in the vicinity of Sooke?

Q. Yes.—A. The fact is that there are some trollers down there who are taking fish.

Q. 52.5 per cent?—A. It is true that if the traps were not there they would probably get a few of that 52.5 per cent you speak of, but there would be a lot they would not catch which would go on.

Q. We have not dealt with sport fishermen. There is a possibility of large development in sport fishing in that neighbourhood, is there not?

Mr. MOYER: May I interrupt? Would it not be fair to apply to the year 1935 the same formula as to 1936? In 1935 there were 397,000 pinks as against 2 pinks in 1936.

Mr. NEILL: We are not dealing with pinks.

Q. What about sport fish?

Mr. MOYER: Pardon me. My formula would be very different.

Mr. NEILL: It would be only about 13 per cent of cohoes netted at that time.

Q. What about sport fishing? Is there any possibility of a lot of that around Brentwood?—A. Yes, and Saanich Inlet and Cowichan Bay.

Q. Would it be possible to develop it?—A. I think it is being developed.

Q. It would be possible to develop it more?—A. More.

Hon. Mr. MICHAUD: That is where Shirley Temple went. We have visited that area.

The WITNESS: There may be some of the fish going to those areas, coming down by Johnstone Straits.

*By Mr. Neill:*

Q. What?—A. There may be some of the sport fish in the areas to which you refer that reach there by way of Johnstone Straits.

Q. Going to Sooke?—A. No; but to Brentwood and Cowichan Bay.

Q. I did not mention Cowichan Bay, but in the vicinity of Victoria, Brentwood, and the vicinity of Sooke.

Hon. Mr. MICHAUD: Show it to the members of the committee on the map. (Witness complies).

*By Mr. Neill:*

Q. Do you suggest that they come down from the north?—A. Yes.

Q. As far south as Brentwood?—A. Yes.

Q. What about in the neighbourhood of Victoria?—A. It is more likely that the fish would come in there from the West. (Indicating on map.)

Q. Make it "practically certain"?—A. Practically certain.

Q. To go back to these men at Sooke, in view of Mr. Dickie's statement to the effect that he felt satisfied that there had been irregularities there, would it

not have been a good thing to have put a man on there from say Port Renfrew and put the other man at Port Renfrew?—A. The question of re-employing him was given consideration. The position at Port Renfrew is for only two months of the year.

Q. Consider some other positions?—A. There is absolutely nothing said against the character of this man.

Q. But in view of the fact that Mr. Dickie makes the statement that he is satisfied that irregularities have occurred, would it not look better to have him placed somewhere else instead of discharging him?—A. I do not want him discharged. —A. Where would we get a man from?

Q. Put him in my district and send a man down from there.—A. As you know, we make it a practice to employ local men.

Q. Mr. Goodrich said he did not think it was a good arrangement?—A. Quite so, and I can see an evident reason for saying that.

Q. I agree with you.

Mr. MOYER: Pardon me.

Q. Does Mr. Dickie live on Vancouver Island?—A. At Duncan's, as far as I know.

Mr. TAYLOR: Not now.

Mr. NEILL: He was the member there. He is a very fine gentleman and compares reasonably favourably with the present representative. More than that I cannot say.

Q. Just one more point: When was the open door policy established in British Columbia fishing?—A. 1919.

Q. And you might just briefly relate to the committee what was the system before that in British Columbia waters?—A. Prior to 1919—

Q. Was it not 1917?—A. No; it may have been applied in part of 1918.

Q. The minister went out in 1917 and found things so rotten, that he said he would cut it out and start the open door policy?

Mr. MOYER: That is a very leading question, I suggest.

A. Prior to that time licences were issued for relatively small or restricted areas. In the case of licences for purse seines and drag seines they were issued for defined areas, parts of the coast. Each part of the coast was allowed to accommodate so many purse seines and so many drag seines, and licences would not be issued for more than that number.

Q. But the waters were allotted to individuals or companies, were they not? Did not one man have the exclusive right of fishing on the west coast at one time?—A. Not the whole of the west coast.

Q. Barkley Sound?—A. Possibly.

Q. And the system was that they divided the waters into certain areas?

Hon. Mr. MICHAUD: Was a right granted to him by the Crown to do that?

Mr. NEILL: Yes, that is the point.

Hon. Mr. MICHAUD: I understand it was not the policy.

Mr. NEILL: Perhaps Doctor Found could tell us what the policy was prior to the open door policy?

Mr. FOUND: Speaking subject to correction in detail, following the Privy Council decision of 1898 there was for a number of years a good deal of doubt as to where exact jurisdiction lay between the provincial and federal governments. The matter went on without settlement until 1908 when the provincial government decided to act on its own interpretation of the decision and to enforce what really was its own policy, which was that the number of salmon fishing licences and the number of canneries operating were to be limited.

There was a commission appointed, I think in 1909, to go into the whole matter, consisting of a federal officer and a provincial officer. That commission recommended the allotment of so many gill net licences to each area, but I

[Mr. A. J. Whitmore.]

forget the definite numbers at the present time. It also recommended the attaching of these licences to the different canneries, so many to each cannery. A regulation to put that into effect was adopted following the recommendation of the commission. That, as will be seen at once, had the effect of preventing any additional canneries from being established, because there would be no fishermen to fish in connection with them.

In the nature of things there was a reaction against that method of administration. The matter could not be definitely or satisfactorily settled with the conflict of jurisdiction. The conflict of jurisdiction was ultimately settled by a further appeal to the courts, which ended in an appeal to the Privy Council, whose decision in 1912 or 1913 upheld the federal government's contention and its jurisdiction.

Following that—I am not able to say with exactness the particular year—the policy which was then in effect was modified so as to enable additional fishing licences to be issued to whites. There was the question of British subjects of Oriental origin, which was a very burning one. The situation was gradually changing from that standpoint, and more cannery licences were issued under conditions hither and yon.

In 1917 a commission headed by Sanford Evans was appointed and went into the whole matter. Broadly speaking that commission recommended or indicated that one of two methods should be followed. One was that with a view to economy in operation there should be no more fishermen employed than were necessary to produce the quantity of salmon that should be taken, and conservation maintained.

Following consideration of the whole matter—I think I am a little ahead of my story: I speak subject to correction, but I think that commission was the outcome of a decision to do away with the restriction on the number of licences, and there was so much objection from the canning interests that it was decided to investigate the whole matter.

Now, to come to the commission—I think the witness is correct—it was decided in 1919 very largely to increase the fees that would be charged for cannery licences and for the higher class of fishing licences, and to restrict the number. Whether that is the correct year or not—I think that is right—very shortly afterwards, possibly by the next year, it was decided to adopt what Mr. Neill has described as the open door policy. That is that there should not be any longer a restriction on the number of fishermen that might be allowed to operate; that consideration, however, was not applicable to Canadians of Oriental origin.

MR. NEILL: Just a moment, Doctor Found, please. I gather that you did not bring out that prior to 1919 the policy was to allow exclusive rights in certain waters?

MR. FOUND: No.

MR. NEILL: Was there not a member of parliament known as the "Salmon king of British Columbia" because he dealt with the licences?

MR. FOUND: In years so long ago that they are beyond my term of any authority, under what was then section 9 of the Fisheries Act—

MR. NEILL: Section 7?

MR. FOUND: Yes, I think you are right—which gives the power to grant leases and licences and gives the minister power to grant leases of an exclusive character up to a period of nine years—anything beyond that would have to be authorized by Order in Council—there were a few such leases granted. There was one, I think, for the Smiths Inlet area, if I remember rightly, and several granted in Western Canada; but long ago, in 1904 I think, the result of granting such leases was an inquiry by a committee of this house as to the wisdom of granting franchises of that character, and that inquiry was instigated by certain leases that were granted for fishing areas in waters flowing into Hudson Bay.



Following that inquiry these leases around that area were cancelled, and it was decided that they would not in future grant any more such leases; and every minister since that time has refused to grant any such leases.

Mr. NEILL: In addition to granting these leases which were granted—I can name several—did not the restriction accompany them that the individual fisherman could not fish there unless he got his licence through the cannery or through the licensee? Was it not so that the ordinary fisherman could not go and take out a licence to fish in British Columbia waters but had to get it through the man who had the licence to those waters, prior to the open-door policy?

Mr. FOUND: No; but it can be fairly argued as in effect working out that way when the policy of restricting the number of canneries and fishermen that might operate was adopted in 1908 and those fishermen had to operate in connection with canneries. That necessarily meant that the cannery had to employ the fisherman and the fisherman would not get a licence unless a cannery would employ him. The application, so far as the department was concerned, would come from the fisherman but he would not apply for the licence unless he could fish.

Mr. REID: Did you ever hear of instances of fishermen from other districts being driven off these areas? I have heard that statement made.

Mr. FOUND: Which areas?

Mr. REID: From the rivers and so forth.

Mr. FOUND: Prior to 1904?

Mr. REID: Prior to 1917 or 1919.

Mr. FOUND: Then there would be this condition, for the sake of argument, that if there were 600 licences issued for the rivers in the district no one else would be allowed to fish there.

Mr. REID: But the 600 licences would be allotted to the cannery?

Mr. FOUND: Absolutely.

Mr. REID: That bears out the contention of Mr. Neill that no one else could fish in there.

Mr. FOUND: No, not allotted to the cannery in that sense. We are speaking from different standards. Do not forget that there was that complexity of jurisdiction, with a certain view on the part of the province as to the course that should be followed.

Mr. NEILL: That was settled in 1912.

Mr. FOUND: Since 1912 there was this gradual change which came to the entirely open door policy I think in 1917, but which was delayed until 1919 owing to the appointment of that commission.

Mr. NEILL: I did not intend to delay the committee so long, but I wanted to develop the fact that a change took place. I have met men who said: I had to get my licence through that cannery or I could not get one because he had the exclusive right of fishing, and I could not put a net or a string in there. Mr. Brewster had an exclusive right in Barkley Sound. Do you deny that?

Mr. FOUND: I make the statement that I do not think there was a lease of an exclusive character granted for Barkley Sound.

Mr. NEILL: There was a cannery there.

Mr. FOUND: You are back to the same thing, but if there was a cannery in a certain area and no other canneries were allowed to operate there, then in the nature of things people who fished there were brought there more or less by that cannery, but that was not a condition necessarily of the regulations.

Hon. Mr. MICHAUD: Who licensed the fishermen?

Mr. FOUND: We did.

[Mr. A. J. Whitmore.]

Hon. Mr. MICHAUD: And the canneries?

Mr. FOUND: We licensed the canneries up to a few years ago.

Mr. NEILL: I wanted to establish the fact to the committee that in 1917 or 1919 the minister of the Crown, Mr. Hazen or Ballantyne, went out there and saw conditions for himself, and they were such that he said: "I am going to cut this out," and thereafter it was an open door policy well known to the department and any man could get a salmon licence and put a cannery up right alongside another one if he wanted to do so; and it was open to the humblest fisherman to pay his \$5 or \$2.50 and fish as much as he liked. That condition is in force to-day, and there is no restriction except the regulations as to size of the fish and the time. Everybody except Orientals are entitled to get a licence to fish when and where they like under the open door policy.

Mr. FOUND: Yes, but the regulations prior to the investigations in 1922 by the commission of that time did not result in a purse seine fisherman being licensed to fish all over British Columbia.

Mr. NEILL: No; he fished in the area and could transfer to another area. The open door policy is open now subject to regulations.

Mr. FOUND: Yes.

*By Mr. Neill:*

Q. I have in my hand now a copy of the licences issued to various people. Salmon trollers are entitled to troll for salmon for commercial purposes in public waters in—I suppose it is filled in in British Columbia, showing the sub-district; and the same for a fishing licence and a trap-net licence. Section 22 of the Act reads as follows:—

Seines, nets or other fishing apparatus shall not be set or used in such manner or in such places as to obstruct the navigation of boats and vessels, . . .

Section 27 says—

The WITNESS: Would you read the rest of section 22?

Mr. NEILL: It is not pertinent but I will read it if you want me to do so:

. . . and, no boats or vessels shall destroy or wantonly injure in any way seines, nets or other fishing apparatus lawfully set.

Section 27 reads as follows:

No one shall erect, use or maintain in any of the waters of Canada whether subject to any exclusive right of fishery or not, any net, weir, or other device which unduly obstructs the passage of fish; . . .

Now we shall turn to section 17 of the regulations, which have the same force as law: "Prohibited Areas." Have you got that?

Mr. FOUND: Yes.

*By Mr. Neill:*

Q. Is the Sooke neighbourhood amongst those prohibited areas?—A. I do not think so.

Q. Neither do I. Here is the point I wanted to make, that these trap licences are illegal, and they have no right to fish there.—A. On what ground?

Q. On the ground of the open door policy which said that anybody could fish where he liked, if he got a licence and you could not obstruct the passage of fish, and I maintain those traps obstruct the passage of fish and therefore are illegal. Then I draw your attention to a decision of the United States courts in Washington:—

Gillnetters Win Legal Contest Against Traps. "The prior rights of floating gear," long a point of controversy between Columbia River gillnetters and trappers, and frequently upheld by the Oregon courts, again was asserted Nov. 27 when the Clatsop county circuit court sustained the gillnetter plaintiffs in an action brought against the Barbey Packing Co. The gillnetters sought to force the removal of three fish traps and a dock built on the south side of Sand Island near its eastern end by the Barbey company.

The courts held the traps and dock violated the prior right of fishery enjoyed by the floating gear in the waters involved, ordered the defendant to remove the traps and all of the dock below normal high water, and instructed the state fish commission to cancel the trap licences.

And it is stated that the case will be appealed. That is exactly on all fours with our regulations. We abandoned the closed door policy and adopted the open door policy and gave a man the right to go and fish in the waters anywhere here except in the closed season, but nobody can put anything in there to stop me, and I say that a trap is an obstruction to me and to the fish, and that under both sections of the act, is illegal? (No answer.)

Mr. NEILL: What do you say, Doctor Found, with regard to that, in view of the decision of the United States court?

Hon. MEMBERS: Oh, oh!

Mr. FOUND: I would be quite happy to accept the judgment of any lawyer present so far as what we are doing in that regard is concerned. In the first place, section 34 of the Fisheries Act gives the governor-in-council power to make regulations not inconsistent with the Act, and I would like it to be pointed out where these regulations are inconsistent with the Act. The trap-net licences are not exclusive privileges. There is a portion of the coast on which the trap-nets are allowed to be operated. There has been no refusal of an application in recent years, at least in my experience, of anyone applying for a licence in that area so long as the net was put there in accordance with the regulations.

Mr. NEILL: I could apply for a trap-net licence at Sheringham Point.

Mr. FOUND: Yes.

Mr. NEILL: And I would get it?

Mr. FOUND: If you had asked for it last year you would have got it. The policy for next year is in the hands of the minister. When licences were being allowed there, there was no restriction on the number so long as they were not placed nearer together than was provided for by the regulations.

Mr. NEILL: But I could not get one of Mr. Goodrich's trap-nets.

Mr. FOUND: If you will read that trap-net licence you will see that our jurisdiction stops with the water and does not extend to ownership of property under the water. The licence distinctly provides that if you are to use the bottom you must get your authority for so doing from the owner of it, whether the owner be a private individual or the provincial government. The licensee must get his right.

Mr. NEILL: And he has the exclusive right to that piece of water? I cannot go and fish there with a gill net?

Mr. FOUND: Quite so, because when a gill net is operating another net cannot be operated in that same place; it obstructs the fishing.

Mr. NEILL: In very small print like stuff you see in an insurance policy the following appears in this trap-net licence:—

The granting of this licence neither conveys nor implies any right or claim to its continuance beyond the period stated.

[Mr. A. J. Whitmore.]



MR. FOUND: Quite so; and every other licence says the same thing.

MR. NEILL: So Mr. Goodrich is not suffering if he does not get a licence this year.

MR. FOUND: Quite right.

MR. NEILL: That is all I want.

MR. FOUND: I would be quite willing to have the judgment of any lawyer here as to whether these traps are there in repugnance to legal requirements.

MR. NEILL: What do you say about the United States decision?

MR. FOUND: I do not know the local conditions there. I know the trap-nets are issued in the United States in large numbers, and up through the northern waters of the Alaska there is a type of trap-nets that I sometimes think should have come into this discussion, namely, floating trap-nets that you can take out and put in the course of fish very far from the shore; they are issued by the United States federal government.

*By Mr. Reid:*

Q. Mr. Whitmore, is that diagram an exact diagram of the Sooke trap?—A. No.

Q. Leaving out the east portion?—A. The east wing of the heart and the east spiller.

Q. I show you a diagram of the American trap. Has it ever been applied in Canadian waters?—A. No, but it is on the same principle as the diagram on the wall. It has only one spiller.

MR. FOUND: One pot and one spiller.

THE WITNESS: They have another wing they call a jigger.

*By Hon. Mr. Stirling:*

Q. I suppose if that opening were placed there it would be in the lead close down to where the apron now operates?—A. Yes, that is where it was required in years gone by.

Q. It has been suggested that there would be a structural weakness created by that. I do not follow that statement. I understand that the main piles of a lead are supposed to be so many feet from the seashore?

MR. NEILL: And only ten feet apart.

*By Hon. Mr. Stirling:*

Q. To make a sufficient V-shaped opening, I imagine, the net would be removed for a width of two piles. The opening would be made V-shaped so that the width at the top would be twenty feet or two piles apart, but there is no suggestion that the centre pile would be removed?—A. My understanding of the V-shaped opening was an opening between two piles ten feet wide.

MR. REID: There could be any size of opening.

MR. NEILL: How can that weaken the piles?

*By Hon. Mr. Stirling:*

Q. It was stated that there was a sill right along the top of these piles?—A. Yes.

Q. Is there a bracing lower down for the 60 feet?—A. I do not think so. I believe occasionally they drive two or three piles together because one pile is not sufficient.

Q. A pile is an extremely weak structure to stand the flow of the tide, is it not?

MR. NEILL: They brace it along the top.

*By Hon. Mr. Stirling:*

Q. With a sill along the top?—A. There are board-walks around the trap proper with very solid handrails, because when you are on those traps if there is any sea running you are waved back and forth.

Hon. Mr. MICHAUD: Immense pieces of B.C. timber are used in those traps.

*By Mr. Tomlinson:*

Q. What is the licence fee?—A. \$50.

Q. How long has that licence fee been in existence?—A. since 1923.

Q. What was it prior to 1923?

Mr. FOUND: \$500 plus one-half cent per fish speaking from memory.

Hon. Mr. MICHAUD: Four cents per case.

Mr. FOUND: That was a cannery fee?

Mr. MICHAUD: Yes.

The WITNESS: Prior to 1919 the salmon trap-net licence fee was \$75. By Order in Council dated March 5, 1919, there was a general revision of licence fees, and in the case of salmon trap-nets the fee was raised to \$500 plus one-half cent for each salmon taken, including steelhead. Then by Order in Council dated April 14, 1923, when there was a distinct downward movement in licence fees of all kinds, the salmon trap-net licence fee was fixed at \$50.

*By Mr. Green:*

Q. What did it cost you to service those traps and inspect them?—A. Do you mean the employment of a fishery guardian?

Q. What does it cost the department to inspect traps and provide inspection, and so on?—A. It has never been worked out. There are other kinds of fishing gear in the locality, and it would be a question of apportioning the expense of any employee we have there.

Q. When four traps operate in a year the total money received by the department is \$200?—A. Yes.

Q. I would like to get some idea of what the department is paying out in connection with those traps. It must be a great deal more than \$200?—A. I do not know.

Q. Why don't you know?

Mr. FOUND: Because, Mr. Chairman, the fisheries' administrative force covers the administration of the fisheries in British Columbia, and when you try to divide it up into what one particular thing would cost it becomes practically impossible.

*By Mr. Green:*

Q. What do you pay the guardians at the traps?—A. \$100 a month for seven months, \$700, and he has a boat which we charter.

Q. What does it cost to operate the boat?—A. \$2 a day.

*By Mr. Neill:*

Q. From whom do you charter the boat, the Sooke Harbour Fishing and Packing Company?—A. At one time; at the present time from an individual.

*By Mr. Green:*

Q. Do the trap companies supply the boat and does the government pay for the boat?—A. No. Some years ago we chartered a boat from the Sooke Harbour Fishing and Packing Company.

Mr. GREEN: Oh.

Mr. NEILL: A family affair!

Hon. Mr. MICHAUD: That has been changed.

[Mr. A. J. Whitmore.]

*By Mr. Green:*

Q. How much do you pay for the boat per year?—A. \$2 a day for the days it is used.

Q. How many days each year?—A. \$300 for the boat charter, and the gasoline and oil bills on top of that.

Q. How much would the gasoline and oil amount to in a year?—A. \$100 to \$150.

Q. That means that it costs you \$1,150 without any other overhead?—A. It is being applied to the supervision of the Sooke traps and other fisheries in the district, and the salmon trollers at Beecher Bay.

Q. The evidence was that there were one or two of them operating out of there?—A. There are several cod fishermen along there.

Q. Yes?—A. And also a crab fishery at Sooke Harbour, and at Esquimalt an oyster fishery that require a certain amount of supervision.

Q. What percentage of the fishing in this district is done at the traps?—A. In dollars and cents?

Q. In any way you desire to figure it?

*By Mr. Neill:*

Q. Would not the services that your guardian renders to the fisheries other than the traps be more than covered by his share of the overhead cost of Major Motherwell's office? Major Motherwell's office involves a large expense, and the guardian's share of the overhead would more than take care of any work he did for you outside of the traps. Is not that fair?—A. I do not follow your question.

Q. Mr. Green suggests that the whole of Mr. Wilson's expense should be charged to the traps, and you said he did some other things which were not very important, and I say the other things he does would not more than cover his share of the overhead in Major Motherwell's office?

Hon. Mr. MICHAUD: It must not be forgotten that the administration of the fisheries of British Columbia is not on a profit-making basis. It is a service that we are administering there. No branch of the fisheries under Major Motherwell is administered from that point of view, and it costs much more to administer the fisheries than we get out of them as a direct revenue. Of course, it is a large business and we view it as a service we are rendering to the people, and not as a business proposition.

*By Mr. Reid:*

Q. From the fishermen's point of view the traps have been getting off with next to nothing as compared with the fishermen according to their catch, comparing the licence fee of \$50 and the licence fee of the fisherman fishing as an individual?

Hon. Mr. MICHAUD: Since 1923 the department has been governed in imposing licence fees by the recommendation of the commission which investigated this situation prior to that, and if it is found necessary to increase the fee or it is found that the fee is not reasonable and should be increased, I see no objection to doing it.

Mr. TOMLINSON: The reason I asked the question was because it seemed to me that Mr. Goodrich's company has a very nice privilege there, and a \$50 trap-net licence fee is a very small fee. In my opinion it should be increased.

*By the Chairman:*

Q. Mr. Whitmore, you said that part of the warden's duties was to look after the cod fishing?—A. Yes, there is cod fishing along there.

Q. Is there any regulation for cod fishing along the British Columbia coast?

—A. Yes.

Q. And a closed season?—A. In parts of the province.



*By Mr. Neill:*

Q. There is no closed season on the west coast?—A. No.

Mr. FOUND: It is very different from the Atlantic cod fishing.

The WITNESS: The fishermen require a licence.

*By Mr. Taylor:*

Q. What is the purse seine licence?—A. At the present time \$20.

Mr. FOUND: It used to be \$300 plus one-half cent per fish.

*By Mr. Taylor:*

Q. Are they restricted to districts?—A. They are, but they are transferred from district to district.

Q. Many objections have come from the purse seiners up on the west coast of Vancouver Island. Do you think they would run down to the Sooke if those traps were taken out?—A. Purse seiners are up the west coast of Vancouver Island quite early in the year, and undoubtedly if they thought they could get more fish down at Sooke they would be there. As a matter of fact when I was at the traps in 1933 there was one seine boat at least within half a mile of one trap, just cruising about. The trap operators had been watching the boat closely through glasses, but it had not made a set.

*By Mr. Neill:*

Q. For fear he would come within a certain distance of their traps? Was that why he was being watched?—A. No; I think they were watching to see whether he did make a set.

*By Mr. Green:*

Q. How many crab operators are there on that coast?—A. Crab fishermen?

Q. Yes?—A. Not a great number.

Mr. NEILL: The only one I ever saw was at Clayoquot last summer, a man named Christie?

The WITNESS: In all the Vancouver Island district there are only twenty-two fishermen licensed for crab fishing.

*By Mr. Moyer:*

Q. Is it not a fact that it is much simpler to enforce the regulations on the traps than on any other method of fishing?—A. Yes, very much so.

Q. For instance, on purse seiners?—A. Very much so; we know where the trap is all the time.

Q. And you have quite a time following the purse seiners?—A. Yes.

Mr. NEILL: Do you think that is why the department favours traps?

Hon. Mr. MICHAUD: The department does not favour traps but administers the laws with equity to all who pay for the privilege. If Mr. Neill applies for a trap licence he will get it.

*By Mr. Moyer:*

Q. Is it not a fact that the purse seiners have a much better opportunity of evading the regulations than the trap owners have?—A. That goes without saying.

Mr. NEILL: I heard Mr. Hanson say how much it would mean to him to have a licence, but he said he would not take it.

*By Mr. Taylor:*

Q. Are you able to tell us the probable amount of capital employed by each of these various types of fishing?—A. Do you mean what value there is attached to a salmon purse seine boat?

[Mr. A. J. Whitmore.]

Q. Yes?—A. An up-to-date salmon purse seine boat will run anywhere from \$15,000 to \$25,000.

*By Mr. Moyer:*

Q. With gear?—A. No. Their seine will be worth probably \$1,500.

*By Mr. Taylor:*

Q. And the seine would last three years?—A. It might; probably there would be some replacements in it in that time.

*By Mr. Moyer:*

Q. What would be the number of the crew carried in a ship of that type?—A. Seven.

*By Mr. Taylor:*

Q. And in the case of the gill-netter?—A. They can use a row-boat if they wish to do so, but a modern gill-netter's gasoline boat is worth \$1,200 to \$1,500, and his gill-net will be worth \$200 to \$300—that is one net. Some fishermen have two or three nets, a sockeye net and a larger net for coho fishing and spring salmon fishing. Often there is only one man in the boat, and sometimes there is a helper.

*By Mr. Neill:*

Q. What would be the cost of a new set?—A. \$200 to \$250.

*By Mr. Taylor:*

Q. The gill-netter would have two men in it?—A. A gill-netter and a helper.

Q. And occasionally two helpers?—A. No; I have not heard of that.

Q. The troller has just the boat?—A. Yes, but a troller boat off the west coast of Vancouver Island has to have a well found boat.

Q. How many does it carry, three?—A. No; often one man and sometimes two. A west coast trolling boat would cost anywhere from \$1,500 to \$3,000, and they use five lines as a rule.

*By Mr. Neill:*

Q. He is handicapped by the weather?—A. Very much; he has to contend with the weather.

Q. And the fish bite only at a certain time of the day, either early in the morning or late at night?—A. That is when they make their best catches, but they do troll all day through.

*By Mr. Taylor:*

Q. What about the drag seine?—A. There are very few drag seines now in the province and licences are issued only to Indians. They use big flat bottomed row-boats. A seine is worth probably \$800 or \$900, but there is not very much drag seine fishing done now.

*By Mr. Moyer:*

Q. In some of the previous evidence, Mr. Whitmore, reference was made to canneries, particularly the cannery at Esquimalt owned by the Todd Company. Supposing the trap ends are removed by order of the company at Sooke, or the two companies who operate there fold up, what would be the possibility, in your opinion, of the cannery at Esquimalt carrying on profitably? Could it get enough fish?—A. I am not a practical canner, but my answer would be that unless the fish that are being taken at Sooke can be caught by some other method the distance which the operators at the Empire Cannery at Esquimalt would have to go for their fish would render it impossible for them to conduct operations.

*By Mr. Neill:*

Q. How far is it from Nitinat?—A. About 60 miles.

Q. Would it not be possible to get them from there?—A. There is a lot of competition there now.

Q. Are the west coast fish not sometimes taken to Fraser river?—A. Yes.

Q. The Sooke cannery would be only half way? (No answer).

*By Mr. Reid:*

Q. Have you any figures of the percentage of fish which the Sooke cannery would take when purchasing from gill-netters and purse-seiners?—A. I have no information that there is any considerable portion of the fish landed at those two canneries taken other than by traps.

*By Mr. Moyer:*

Q. And if the traps were removed do you think the cannery's requirements to carry on profitably could be filled by other methods of fishing between the traps and the cannery?—A. I would not say that; I have no evidence that other types of gear will be successful in there.

Q. What do you know about canneries up the west coast of the Island? How many are there?—A. Right up the west coast?

Q. Yes?—A. Last year I think four or five operated. Do you wish me to name them?

Q. Please?—A. One operated at Kildonan in Barkley Sound, one at Nootka, one at C.P.C., and the other one was the Empire Cannery.

Q. What is the history of the canneries along that coast? Have there been about that number there through the years or more or less?—A. There have been through the years quite a number more.

Q. What has happened to them?—A. They have gone out of business.

Q. For any reason you can advance?—A. The main reason is that they did not pay, I guess. There are several reasons for it, such as bad marketing conditions, finances, amalgamation of canneries, and insufficiency of fish for all concerned.

*By Mr. Neill:*

Q. Were you on that commission or around with it in 1922?—A. Yes, for a short time.

Q. Do you remember Mr. Todd giving evidence in Victoria on September 5 of that year?—A. No; I had nothing to do with the Victoria meeting.

Q. On the first page of his evidence he was asked:—

“Q. What operations do you conduct here in this district?”

and he answered:—

“A. Here traps, together with the fish we take from trollers.”

Mr. MOYER: From what are you quoting?

Mr. NEILL: From the evidence of C. F. Todd taken before the royal commission on the British Columbia Fisheries presided over by the Hon. Mr. W. Duff. Mr. Todd gave his evidence at Victoria to that effect in 1922.

*By Mr. Taylor:*

Q. I have formed the impression that one grave reason why the Sooke area is looked upon with favour by those who are not there is because the long stretch of west coast shoreline from Barkley Sound to Sheringham Point is practically bare and lacking creeks or little indentations or harbours in which the boats can take rest.—A. There is no anchorage along there for small boats until you come to San Juan Harbour.

[Mr. A. J. Whitmore.]



*By Mr. Neill:*

Q. Do you know John E. Rice?—A. He is dead, I believe. Formerly he was the head of the Lummi Bay Packing Company.

Q. He had a cannery at Nitinat?—A. Yes.

Q. He swore before the Duff Commission on the British Columbia Fisheries that in 1919 he prepared for a pack of 85,000 cases at Nitinat?—A. Yes.

Q. Would it not be possible to supply them (the Sooke cannery) out of that?—A. They packed chum salmon largely.

Q. They were not all chums, they got sockeye?—A. Yes, but it has since improved.

Q. There is a very fine run of sockeye in there?—A. Yes, it has been developed.

Q. That would be a source of supply to the Esquimalt cannery 60 miles away? (No response).

*By Mr. Taylor:*

Q. Did you not say that the Fraser River was the only place where sockeye spawned to any extent?

Mr. NEILL: As compared to the Puget Sound.

Mr. FOUND: There is no question that the Fraser River is the origin of that spawning ground, substantially.

Mr. TAYLOR: I will give you the facts later on.

Mr. FOUND: I am speaking of sockeye.

Mr. TAYLOR: It is called salmon in other places, and is called Sukkeagh and other names.

*By Mr. Moyer:*

Q. You have been at Sooke and on the traps. Could you clear up a certain amount of doubt on the part of the members of the committee as to alleged eddies in still water or quiet water in the vicinity of the traps?—A. There is no doubt there are back eddies along the shores of the straits. Charts of the straits will show there is quite a severe current, with four, five and six knots marked in places.

Q. Running past the traps?—A. Yes. The current is very fast past the traps, and running by these points I expect there will be at times small back eddies, depending on the set of the tide. At slack water, of course, there will be none.

The CHAIRMAN: Are there any more questions to ask the witness?

*By Mr. Taylor:*

Q. With regard to traps in the Pacific salmon fisheries would you consider this statement of John S. Cobb issued by the United States Department of Commerce Bureau of Fisheries correct:—

If a trap is located in a place where fish play and where an eddy exists and the fish run one way with the incoming tide and the opposite with the outgoing tide, it will fish from both directions. If located where the fish simply pass by as, for instance, at a point or reef it will fish from one side only?

A. Very likely so. Our experience of trap fishing in British Columbia is very limited for the reason that it is not encouraged at all.

Q. But it is reasonable to suppose that this statement I have read is correct?—A. Yes.

Q. And that, as the Sooke traps have hearts only on the west side, it is definitely because the stream flows from the west towards the east and the fish

that are intercepted are fish on the run rather than fish that play around?—A. Yes, I think that would be right.

The CHAIRMAN: Does any member of the committee desire to ask Mr. Whitmore any further questions?

Witness retired.

The CHAIRMAN: If there are no further witnesses to be called would the very learned counsel who have been conducting the case on both sides care to sum up? At our next meeting we will, I take it, prepare our report.

Mr. TAYLOR: I think there are still some matters we ought to inquire into, and we should put all the available facts on the record.

The CHAIRMAN: Then apparently we cannot conclude to-day. When shall we meet again?

Mr. TOMLINSON: On Monday.

The CHAIRMAN: Then we shall adjourn now until Monday next at eleven o'clock a.m.

Whereupon the committee adjourned at one o'clock p.m. until eleven o'clock a.m. on Monday, March 22, 1937.

















Gov. Doc  
Can  
204  
19

*Boys. Marine and Fisheries, Fanning  
Committee on 1937*

SESSION 1937

HOUSE OF COMMONS

CA1 XC 17

-M12

STANDING COMMITTEE



ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 13

MONDAY, MARCH 22, 1937

CONTAINING

The summing up statements of opposite views on the  
matter under consideration by the  
Committee.

OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1937







## REPORTS OF THE COMMITTEE

### SECOND REPORT

MONDAY, March 22, 1937.

The Standing Committee on Marine and Fisheries begs leave to present the following as a

### SECOND REPORT:

Your Committee recommends that it be granted leave to sit while the House is sitting.

All of which is respectfully submitted.

A. E. MACLEAN,  
*Chairman.*



## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

COMMITTEE ROOM 429,

MONDAY, March 22, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock a.m. this day, Mr. A. E. MacLean, Chairman, presided.

The following members of the committee were present:—Messieurs: Cameron (*Cape Breton North-Victoria*), Gauthier, Green, Hanson, Kinley, MacLean (*Prince*), MacNeil, McCulloch, McDonald (*Souris*), Michaud, Neill, Pottier, Reid, Ryan, Stirling, Taylor (*Nanaimo*), Telford, Tolmie, Tomlinson, Veniot, and Ward—21.

*Also present:*

Mr. L. Clare Moyer, K.C., representing and counsel for the Sooke Harbour Fishing and Packing Company, Sooke Harbour, B.C.

Dr. Wm. A. Found, Deputy Minister of Fisheries, and Mr. A. J. Whitmore, Head Western Fisheries Division, Department of Fisheries, Ottawa.

The chairman read into the record a lengthy telegram from the Sooke Community Association, signed by its secretary, F. Brownsey, asking that the government continue the granting of trapnet licences as it has for over thirty years at the Sooke locations (see evidence this day for full text of telegram).

Mr. Taylor (*Nanaimo*) submitted a detailed statement, based on a document published by Mr. J. N. Cobb, Dean of the College of Fishermen, University of Washington; also a statement showing the catch per man, in numbers of fish of the different varieties, and under the different methods of fishing in B.C. waters (see evidence for detail).

Mr. Neill submitted a summing up of his views, as based on the evidence adduced before the committee, in support of his contention that trapnets should be entirely abolished in British Columbia waters, but he was willing to concede the years 1937 and 1938 to the Sooke Harbour interests, in order that the invested capital there should be considered and not suddenly put out of business, with the possibility of incurring some loss (see evidence for detail).

Some statement of Mr. Neill were replied to by Dr. Found, and he proceeded to explain his stand in certain matters connected with the administration of the department.

Mr. Moyer was requested to make his summing up statement in support of the Sooke Harbour interests, which he proceeded to do, basing his views on the evidence adduced before the committee, and other documentary evidence submitted to him. This occupied the time till near one o'clock.

It had been hoped that this sitting would complete the open meetings of the committee, but after discussion it was thought impossible to do so, as it would first be necessary to have the majority opinion of the committee before the basis of a report to the house could be acted upon.







Mr. REID: May I ask if the report will be drawn up by the committee as a whole, or a sub-committee?

The CHAIRMAN: Well, it will have to be submitted to the committee as a whole for approval. We are in the hands of the committee. If the committee wishes to appoint a sub-committee to draw up the report, all right.

Mr. REID: It is usual to appoint a sub-committee to draw up the report and submit it to the committee. I was wondering if that procedure was going to be followed here.

Mr. NEILL: It is usual to decide first what the policy will be, and then have the sub-committee draw up a report. It might be of a character that could be passed here in a few words.

The CHAIRMAN: Shall we deal with that now, or has anyone any further suggestions to make? Have you any suggestions, Mr. Minister?

Hon. Mr. MICHAUD: I have no suggestions. We have to hear all the evidence and then we shall have a private meeting to discuss the situation. That is usually the procedure in committee meetings.

Mr. NEILL: We ought to hear Mr. Moyer.

Hon. Mr. MICHAUD: Certainly, we ought to hear all those who have suggestions to make. Mr. Taylor intimated he had some suggestions to offer. If anybody else has anything to offer to the committee we shall hear them, and then we shall close the public sittings and resume at a private meeting to discuss the situation. I think that is usually the procedure followed by committees of the house.

Hon. Mr. TOLMIE: I was not here on Friday when we closed. Were there names of persons mentioned who addressed the meeting?

Hon. Mr. MICHAUD: No. Mr. Taylor intimated he had some information to lay before the committee.

Mr. NEILL: Anything that Mr. Taylor or I would present should be presented amongst ourselves. I should think it is not evidence.

Hon. Mr. MICHAUD: If he wants to put it on the record it is his business.

Mr. NEILL: Yes. Perhaps Mr. Taylor wants to put his on the record.

The CHAIRMAN: I think we should let Mr. Taylor proceed now.

Mr. TAYLOR: I have been gathering quite a lot of evidence, traversing the various statements of the witnesses. I do think we ought to stress the importance of a statement made by John N. Cobb on the Pacific salmon fisheries, and contained in a document of the U.S. Department of Commerce, the Bureau of Fisheries.

Mr. NEILL: What is the date?

Mr. TAYLOR: Appendix 13 to the report of the Commissioner of Fisheries for 1930. It contains documentary figures down to 1928.

Mr. NEILL: Is this an article by Mr. Cobb?

Mr. TAYLOR: No; it is an appendix to the report of the Commissioner of Fisheries, as I have just indicated, 1930.

Mr. NEILL: Who is Mr. Cobb, one of the officials of the department? You don't know what department he is in?

Mr. TAYLOR: No; but apparently of sufficient importance to have—yes, I think we can tell precisely what he is. He is dean of the College of Fisheries, University of Washington. Referring to the decrease in the sockeye run, this is what he says:—

In 1913 the matter of the Fraser River—Puget Sound sockeye salmon run came prominently to the fore through a rock slide in the Hell Gate Canyon, on the Fraser River, caused by blasting operations of a con-

struction gang building a railroad through there. This slide, it was asserted, cut off the greater part of the run to the upper river, and, it was feared, would have a very serious effect on future runs. By the time the run of 1914 arrived the greater part of the debris had been removed from the canyon, and the fish, it was alleged, could once more pass up. Reports of persons who visited these spawning grounds in 1913 and subsequent years were to the effect that but few spawners, as compared with earlier years, were to be found on them.

That the subsequent decrease in the runs was not to be attributed solely to the rock slide in Hell Gate Canyon is plainly evident by a glance at the pack figures in this area before and subsequent to 1913. The following statement shows the combined sockeye packs of the American and Canadian packers operating on the run going to the Fraser River.

There it shows the quadrennial leap, 1909 being one of the quadrennial years.

	Cases
1909 (quadrennial peak) .. . . .	1,590,555
1910 .. . . .	384,869
1911 .. . . .	189,767
1912 .. . . .	307,775
1913 (quadrennial peak) .. . . .	2,401,488
1914 .. . . .	534,434
1915 .. . . .	155,714
1916 .. . . .	105,870
1917 (quadrennial peak) .. . . .	559,732
1918 .. . . .	70,420
1919 .. . . .	90,409
1920 .. . . .	111,053
1921 (quadrennial peak) .. . . .	142,598
1922 .. . . .	100,398
1923 .. . . .	79,057
1924 .. . . .	109,112
1925 (quadrennial peak) .. . . .	147,408
1926 .. . . .	130,362
1927 .. . . .	158,987

Now, to anyone having an historical experience of the fishing, this decrease must have been quite serious, and unless they were continually attributing the fall-off of the fishing and the fishery possibilities to this Hell Gate Canyon incident they would lose sight of the fact that the people of British Columbia were responsible absolutely for the destruction of the fishing themselves. I think that point has to be well borne in mind.

Aside from the damage caused to the "big year" run by the rock slide, there can be only one explanation of such a progressive decline in the pack, and that is excessive fishing. The fishermen of both countries, are to blame for this. On the American side traps, purse seines, and, in a slight degree, gill nets, have taken a heavy toll of the fish as they passed through our waters. After some had safely run this quantlet they met thousands of gill nets operated by Canadian fishermen in and around the mouth of the Fraser River and in the lower reaches of same, and it is a wonder that any of the schools ever got to the spawning beds.

I think the members of the committee should keep that in their minds when they are studying this whole question. I took the trouble to draw up figures designed to show how many fish were caught by each individual member of the particular types of fishing.







Mr. TAYLOR: Those figures are correct according to the books.

Mr. NEILL: No. According to your method of manœuvering. I see salmon gill nets, 3,000; how many have you got?

Mr. TAYLOR: 2,989.

Mr. NEILL: 3,002 is the correct number.

Mr. TAYLOR: I am giving you those extra ones. I am using the correct figures.

Mr. NEILL: Salmon gill nets 6,216, and you have 7,087.

Mr. TAYLOR: 7,087.

Mr. NEILL: Salmon gill nets according to your quotation is 6,216.

Mr. TAYLOR: Are you taking in assistant salmon gill net?

Mr. NEILL: No. It has nothing to do with it.

Mr. TAYLOR: Dr. Found, am I justified in taking that in?

Mr. FOUND: Oh yes, they worked on the boats.

Mr. TAYLOR: Yes, they worked on the boats.

Mr. NEILL: Where do you find assistant salmon gill net? Assistant salmon gill net is 953 according to your book.

Mr. TAYLOR: If you wish to go into that in your own time I will supply you with all the papers from which I worked out these figures.

Mr. REID: It is very difficult, Mr. Chairman, without going into the figures very exhaustively to get a proper idea of the different fish caught by the different methods of fishing. One could get up and make a statement as to what the gill net fishermen caught in the Fraser river on an average. If you take the average of the return for last year you might give a picture of the earnings of gill net fishermen last year, whereas it was well known that some fishermen made a clean-up and others did not. I know of Japanese fishermen who operated their boat twenty-four hours a day and made \$1,000 in one day. If you add that in, you can see why the gill net fishermen on the Fraser river made so much last year, but it would be far from the truth.

Hon. Mr. MICHAUD: Another man got a cheque for \$2,663 for a week's operation.

Mr. REID: One Japanese made \$1,000 in one day. The boat never stopped fishing the whole day, but there are others among the fishermen who did not make anything like that; and our argument against the traps has not been solely or entirely on account of the men displaced, but on account of the destruction of the fish, which you have not touched at all.

Mr. TAYLOR: I shall touch on that too.

Mr. REID: You have not touched on that aspect of it at all.

Mr. NEILL: You make no allowance in your figure for the fact that very often the gill netter is also a troller at a different time of the year.

Mr. TAYLOR: Oh, yes, I allowed for that.

Mr. NEILL: Did you allow for the fact that very often the gill netter is a troller.

Mr. REID: He left out, I believe, the fact that some of the purse-seiners go after herring as well.

Hon. Mr. MICHAUD: If this is given for the purpose of establishing that a number of the fish caught in the traps would be caught by individual fishermen if the traps were removed, I think that is a false method of arguing the case. There is no assurance that the number of men which it is claimed would be employed fishing would consent to go fishing and would invest their capital

in boats and appliances; and there is no assurance that were the traps removed from their present location that the fish now being caught by the traps would be caught by these other people.

Mr. REID: I think it would be correct to state that no one could guarantee that if the traps were done away with a certain number more men would be engaged; but I would say this to the minister—and it has been borne out on the Fraser river—that when the traps were done away with across the line—that is, the United States traps—spring salmon and other varieties of salmon were caught in greater numbers up the Fraser river, and when purse seines were allowed in the mouth of the Fraser the catch of spring salmon and other varieties went down so that the livelihood of the fishermen on the Fraser river was jeopardized:

Hon. Mr. MICHAUD: And there is this other fact which cannot be forgotten or passed upon without notice, that since the traps have been removed on the other side the average quantity of fish caught by the traps on the Canadian side has decreased too.

Mr. NEILL: The average number of fish caught in the Canadian traps?

Hon. Mr. MICHAUD: As compared with the fish caught on the other side.

Mr. NEILL: That is curious.

Mr. FOUND: 1935 was one of the smallest years.

Mr. NEILL: The fish could hardly be influenced by the things that were going to happen to them. They come down and pass through our traps and then go into American waters, and it is then that the Americans take their catch, but the fact that the Americans took out their traps would hardly decrease our catch at Sooke, because they had passed Sooke when they got to the American side.

Hon. Mr. MICHAUD: That is the fact. I do not say that it has any relation, as cause and effect, but the fact is that since the traps have been removed that has happened. It may only be a coincidence. I do not say it has any relation to the circumstances, but it is the fact nevertheless.

Mr. NEILL: They have dropped down to 5,635, and before that it was 6,000 and 8,000.

Hon. Mr. MICHAUD: That is what I say.

Mr. NEILL: They went down in 1934 and 1935. In 1933 there were 8,000; in 1934 there were 6,000; in 1935 there were 5,600 at Sooke. That shows they are going down and not up.

Hon. Mr. MICHAUD: I say they are going down.

Mr. REID: Mr. Minister, if you look back over the years, according to the sheet I have here, and go back to 1933, and take spring salmon as one variety, you will find that there were 19,447. Now, traps were operating across the line at that time. If you come to 1935 you will find the number increased to 19,810 and after the traps were taken out.

Hon. Mr. MICHAUD: Take 1936; the number is 16,313.

Mr. REID: It may have been a low year.

Hon. Mr. MICHAUD: That may be so, but nevertheless it is a fact that the removal of the traps in United States waters did not cause any greater amount of fish to be caught by our traps.

Mr. NEILL: How could that be so—how could they be caught by our traps when they have already passed our traps first. How could something that happened fifty miles farther on influence the catch at Sooke?

Hon. Mr. MICHAUD: You took the quantity of fish that passed in those waters and the quantity that go up the Fraser river that must pass there and compared







Protective Association, Sooke, V.I., British Columbia. It was part of the correspondence I asked for through the proper channels in the house. I thought it expressed the situation so tersely that I wanted to put it on the record.

Dealing with the question of percentages, of which so much has sought to be made, by suggesting that the catch at Sooke was 2 per cent of the total catch for one particular year which was picked out for the purpose and not taking the next year when it was 4.7 per cent, but it must be remembered that this refers only to the catch of sockeye and it was not 2 per cent of our catch, but 2 per cent or 4.7 per cent of the combined catches of the Sooke traps, and the Fraser river, and Puget Sound areas. I do not think we should consider the Puget Sound catch in that regard and I would call attention to the evidence given last Friday where Mr. Whitmore identified the statement put in by Dr. Found, giving the catch of the Sooke traps for last year, 1936, and that statement showed that the total catch that year was 103,233 and that the combined catch of sockeye and chums in that year was 49,105 or 47.5 per cent of the total Sooke catch for that year; while the catch of springs, blueback, steelheads and cohoes during the same season was at Sooke's 54,128 which is equivalent to 52.5 per cent and it is to be noticed that these 52.5 per cent were all trollable fish.

As regards sockeyes, Mr. Found said in his evidence on the first day he was here that our catch used to be from 28 to 30 per cent, but after the traps were taken out of Washington the catch went up to 53 per cent; and in one year it reached as high as 86 per cent.

I have alluded to the suggested illegality of their traps on the ground that it is a breach of the open door policy on the one hand, under which a licence enables a man to fish in any waters of the district except those prohibited areas named on page 26—section 17 of the Fishery regulations, and on the other hand, is certainly a distinct breach of section 27 of the Fishery Act, which says there shall be no undue obstruction to the passage of fish. A net is not an obstruction because it moves along and takes them for the moment and then is gone, but a 2,000 foot lead sticking out of the channel is a very distinct and permanent obstruction to the fish. I claim that this not only unduly but totally obstructs the passage of the fish. It might be worth while taking this up as a test case,

I am advised by a good lawyer that a good case might be made, and we have the evidence of a similar case decided in the state of Washington on what seems to be identical lines.

The question of traps was first raised many years ago, and continuing on through the various investigations since, there has been one reason and one only, given for treating Sooke differently from the rest of the province in regard to trap licences, and that reason—and the only reason that was ever given—or could ever be given—and has been reiterated scores of times—and that is—the presence of traps and seines in Puget Sound, while in our waters, between Puget Sound and the Fraser river, we had neither traps or seines. That statement cannot be controverted. Now we are confronted with a situation where the traps no longer exist on the American side and seines are allowed in adjacent waters on our side of the line. Moreover, the American traps have been taken out for two fishing years and there is a positive guarantee by legislation just passed that they cannot be reinstated for another two years. There is also the fact—that those who were trying just recently to get traps reinstated in Puget Sound dwelt heavily upon the fact that while they had taken their traps out we had not responded by taking ours out and also that the traps they abandoned numbered 219 and ours only four or five.

The arguments put forward by Mr. Goodrich and Mr. Todd in their briefs and in Mr. Goodrich's evidence can be summarized as advancing the following reasons why the trap licences should be continued to be granted to them:—

*Puget Sound Traps*

1. The continued repetition of figures showing that a large percentage of sockeye salmon were taken in American traps as compared with the catch at Sooke or in the Fraser river. The answer to that is that it was quite true but has nothing to do with the situation now because the Americans have taken out their traps so that our proportion of the total catch, instead of being around 21 per cent to 30 per cent has gone up to 53 per cent and even much higher up to 86 per cent. Consequently that reason—and it is the only one of any weight—is disposed of.

*That Traps Are The Only Means Of Fishing In This Locality*

2. The next argument is that traps are the only means by which sockeye can be taken in that locality. Against that is to be put the evidence of the wire from Mr. Larum, whose veracity and integrity I can vouch for, that Eric Bostrom was prepared to swear that he had successfully trolled those waters. Also, we have the evidence that I submitted on the 19th inst., that Mr. Todd had stated in his evidence before the commission in 1922 that his cannery was run from what he got from the traps and from the local trollers. We also have the evidence of Mr. Coverdale that he was actually there and had gill-netted in that neighbourhood and at that time the regular practice was for the cannery to sell gill nets to the Indians on conditions that they turned their fish in to the local cannery, and that was done at this particular place—Sooke.

Then we have the evidence—or at least the wires—from Martinolich, Gunderson, Charlie Clark and Pederson that those waters could be successfully seined, so there is substantial evidence that that area could be trolled, gill-netted or seined. That disposes of the argument that traps are the only means by which salmon could be taken in that locality.

*If There Are No Traps Cannery Will Quit*

3. That, if the licences were withdrawn, the cannery conducted in connection with them must cease operation. That is an idle threat and only done for spectacular effect. I would refer you to the evidence taken before the Duff Commission where a canneryman swore positively that, if a further embargo was not put on all our salmon of any kind, his cannery would cease operations.

At that time I asked one gentleman, “did not Mr. Lord swear at Ottawa that he would not open his cannery the next year unless we granted a further embargo,” and he said “yes.” I said, “is the cannery running?” And he had to admit that it was. Another canneryman gave evidence at the same time. Mr. MacQuarrie, now Justice MacQuarrie, pointed out to him that he had sworn at Ottawa that, if a commission would come out to the coast, he could produce fishermen in favour of an embargo on raw salmon. Mr. MacQuarrie reminded him of this at Vancouver and challenged him to produce one man, and he failed to do so, and the facts are that the embargo was not increased, and that the cannerymen did not go out of business on that account. The embargo was cut out altogether two years ago and no cannery went out of business thereafter. I particularly emphasize this because there is a tendency on the part of these people to say that if we do not do so and so the canneries cannot run, and that



has to be taken with a large portion of salt. I have further shown from statements from Mr. Found's office dated February 17th, that the adjacent fishing areas No. 21, 22, 23 and 24 provided in 1935 a catch of 760,000 salmon of which 85,650 were sockeye and these people at Sooke only put up 44,000 sockeye last year, and in that year 760,000 were caught in those areas—some of which at least were actually taken past the Sooke cannery from these areas to be canned on the Fraser river, 100 miles further away, while the total catch in 1936 at the Sooke traps was 103,233 so that there was a supply several times their demand comparatively close by. Nitinat is a good source of salmon, and that is only 60 miles away from Sooke, and 60 miles is nothing in these days of fast boats and ice storage. So, if the traps were closed, the cannery would have two sources of supply—fishing by means of trolling, gill-netting or seining in the waters of the Juan de Fuca strait, where the traps are, and from the existing catch now being taken from these other nearby areas. That disposes of the contention that, if the licences were withdrawn, unemployment would be increased. Mr. Coverdale pointed out very correctly that it takes many more men to catch the same quantity of fish by seining or gill-netting, and the present employees of the Sooke traps would be still employed, and many more as well.

#### *Loss of Income Tax and Local Business*

4. The next argument was the threatened loss of income tax to the governments caused by the tax on the huge profits made by this privileged monopoly. That hardly requires any answer. Is it for the public good that rich men should be encouraged to grow richer, and poor men poorer, and go on relief because of the prospective income tax? That argument is unsound.

A parallel case would be that I should be allowed to run a gambling hell or a house of ill fame because I would make so much money out of that that I could pay a large income tax to the government. That would work all right if the government was a dictator who had in mind only things which are for his own benefit, but it would not work out when the government is considering the welfare of the people of Canada and is operating in the interest of all the people.

Much stress was laid on the suggested loss of business to Victoria, and local merchants. The Kyuquot Trollers Co-operative Association advise me that the most of their purchases, pay-roll, repairs, etc., which for this year will amount to approximately \$90,000 would be spent mainly in Victoria, and that is a better market for the merchants than the few men employed on the traps.

That disposes of all the arguments put forward by the trap owners. They did, it is true, refer to the investments they had, which they said they would largely lose if the traps were stopped, but their licence carries on it a distinct statement that there is no implied condition that it shall be renewed for longer than one year. Moreover, the assets that he claims would be wiped out, were very much exaggerated in value; his boats, for instance, would be of just as much value as seine boats.

Very much emphasis has been laid upon the fact that the sockeye after they passed our traps were going to be largely caught by the Puget Sound traps, but that argument is disposed of by the fact that the Puget Sound traps no longer exist and by the evidence showing in the last year of record that 52½ per cent of the catch at Sooke was salmon, not sockeye, but of varieties, all of which could be caught by trolling, to say nothing of gill-netting and seining. Two of these varieties are springs and cohoes, and the catching of them in the traps is having a bad effect upon the runs.

The Kyuquot Trollers Co-operative Association, which operates to the west of Sooke, shows that their catch in 1934 was 2,010,148 pounds, of which 1,000,000 were cohoes. In 1936 the figures were reduced to a total of 1,080,128 of which cohoes were only 200,000, showing how the catch of both springs and cohoes are going down, and either the traps or the fishermen will have to go out of business.

Evidence has also been shown that there is great possibilities of building up a wonderful tourist trade, because these springs or tyces are wonderful sport when being trolled, and the cohoes take the fly, and it is a common comment to say that every fish caught by a tourist sportsman costs from \$10 to \$15 which is in the shape of money spent in the district.

The real value of Mr. Goodrich's and his associates' holdings is in the possession of these trap licences, and their being renewed year by year. These licences under the existing conditions, where this is the only cannery out of 43 holding them, are worth a large sum of money each; if 42 canneries run without a trap, why could not 43? It would not be an exaggeration to say that each licence is worth \$1,000 annually. At least Mr. Goodrich repeatedly said in his evidence that he paid income tax over a period of 18 years averaging \$6,200 per year. That will be found on page 152 of the evidence. He was quite insistent on that, and stated it several times. An income that would pay that amount of income tax on average for 18 years, covering the depression as well as the good times, would suggest an average profit of something like \$50,000 a year and, he said himself, solely predicated on the possession of these trap licences. And he swore the whole original investment of this company was \$24,800. But remember this, and this is the most important thing that I want to call special attention to—I only discovered it myself last night. The record we have from Mr. Goodrich so far as his income and his profits was concerned was only on three licences. You will find that in the record at pages 38 to 42. Remember, that income was only on three licences, and Todd also had three licences, so that this \$50,000 a year must be multiplied by two. Mr. Todd would earn as much, or more, because he had a cannery which he ran in connection therewith as well. So we must keep in our minds these two outfits making a net annual profit over a period of 18 years of something approximating \$100,000. The fishing industry is owned by the people of Canada, and it should be used for the best interests of the people of Canada, and I submit that it could be best used by giving access to it, so that as many as possible would be employed. That would be for the common good of the greatest number.

You will see in the evidence given last Friday where Major Motherwell, the head of the Fishery Department in British Columbia, had announced six separate extra restrictions are to be placed on Skeena river fishing this year. I notice one of them is a complete closure down in the month of August for nine days in the middle of the fishing season, but the nine days will not apply to the traps. Then there is a very definite warning that even more drastic steps will have to be taken, even to the closing down of the river. The Skeena river supplies the second biggest pack of sockeye in British Columbia, and if it is closed down, or even greatly restricted it throws an additional responsibility on us to try and find an outlet for the gill netters that will be thrown out of employment in that way.

There can be no question that the use of traps curtails employment. We have Mr. Hanson's evidence, Mr. Coverdale's, Mr. Miller's, and Mr. Whitmore's. Indeed, it is universally admitted. Both Messrs. Found and Whitmore stated in their evidence when the question was definitely put to them, that it would be in the best interests of the industry to forego our traps in order to get the Americans to continue to keep theirs out of use. We are now asked to perpetuate this system, of which Mr. Dickie, the late M.P., stated he was fully convinced irregularities prevailed, in July, 1935, in the fishing areas at Sooke, and nothing has been done. This is the system which allows the catching of all fish, herrings and sockeyes, out of season, and destroying everything that is there. Remember, there was evidence that herrings were being sold in the month of May. It is illegal to fish for herrings anywhere else except in the traps in the month of May, except a little for bait. They have no restriction against the catching of sockeye out of season there, and they were selling them out of



season, and they were destroying everything that came along there. There are fishery regulations restricting other fishermen. Sports fishermen cannot catch more than five or ten a day. But a trap would take as many trout or sports fish in a day as all the sportsmen in Cowichan, or around there would take in a year. There is no limit. They can catch everything that comes along and they are there right along. The question is, are we to decide in favour of money or of men? Are we to perpetuate this valuable privilege, the only excuse for the existence of which has now entirely disappeared, or are we to follow the open door policy that was adopted in 1919 and applied in British Columbia ever since except to this one favoured trap branch of the industry?

I would beg the minister to follow the example set by his predecessor, the Hon. Grote Stirling, who is a member of this committee and is present this morning—spare his blushes—who two years ago when a somewhat similar privilege was being discussed in this committee, that of whether the 40 year old advantage enjoyed by the canneries, being the maintenance of any embargo on raw sockeye fish going out of British Columbia, which compelled them to sell to the local canneries at their own price, I asked the Hon. Mr. Stirling, whose own political friends were on the side of the embargo, whether he was going to kill the motion to abandon the embargo in the committee as, of course, he had the government majority, he said it would be left open to the individual decision of the members, and it was.

Later, when the committee unanimously endorsed the abolition of the embargo, I again asked what his attitude would be when the report came to the house for consideration. He again said that his attitude would be one of non-interference and, if the house endorsed it, he would carry it into effect, which he did, and his judgment proved true. I have told that tale many times at political meetings in my district, far removed from the Hon. Mr. Stirling, and his name has been applauded again and again. He got, perhaps, very little political credit, because his district is far removed from there. None of the dreadful things that were prophesied, such as people going out of business, etc., happened and I am sure no one would suggest reviving that particular privilege again.

To our British Columbia members, I would point out what a terrible disaster it would be to our fishing industry, employing something like 11,000 people, if the use of traps were allowed throughout British Columbia. They may reply that they are not in favour of traps generally throughout British Columbia, but only at Sooke, but that position would be an impossible one because the only reason for their tolerance for Sooke so long was the fact of the American traps in Puget Sound and seines there and, as they have done away with the traps and as we have started seines on our side of the line, the demand will arise for traps elsewhere in British Columbia, and how can it be rejected? I again refer to an investigation made in 1929 about a similar condition of traps up in the northern part of British Columbia. They took a lot of evidence, and one of the witnesses was Mr. Hagar, manager of one of the biggest fishing firms of British Columbia and this is what he said, as reported by the newspapers:—

Mr. Hagar not only advocated the establishment of fish traps in northern waters, but also throughout the province.

The issue at the moment was the licensing of traps in the northern part, away up in Mr. Hanson's district, and Mr. Hagar said they should be permitted all over British Columbia. That is the inevitable result. If we vote to-day for traps at Sooke, we are practically voting for traps all over British Columbia, because that would be the logical deduction, and I beg you to think what a wholesale disaster it would be to our British Columbia citizens, and our fishing industry in particular.

To those members of the committee that come from the east, and from the maritime provinces, I beg them to follow the custom that has grown up over a term of years in this committee. We have always followed the practice that, while united as fishery representatives, we on the one coast would accede to the wishes of those members from the other coast. For instance, we British Columbia members have in the past invariably sat back when questions in connection with lobster fishing in the maritimes were being discussed and gave our loyal support to whatever their views were, and I would beg, what I would call the fishery members, that is, those representing the fishing constituencies, to co-operate together in this matter, but indeed, the maritime members have a distinct interest in this matter because, while not exactly the same, it is largely the same idea as the question of trawlers on the Atlantic and, if we in British Columbia are turned down to-day, the precedent is set to turn down those who are opposed to trawling on the Atlantic coast to-morrow.

I have no desire at all to do injustice to anyone, and, while it is not recognizable in either law or logic, yet I am willing to agree that existing trap owners should be recognized to some extent. It is true that their privileges extend only for one year, but it is also true that seines are often prohibited going into areas where they can fish profitably. A parallel case is when the British Columbia government introduced prohibition. The hotels got only a few weeks' notice; and not a cent was paid to the individuals who had been so cut off, many of whom were entirely ruined thereby. But they were told their licences were only for one year. In spite of that I am willing to agree that existing trap owners should be recognized to some extent. I would suggest that they be allowed to continue their operations for this year and for the sake of getting a harmonious decision and not bringing it up in the house and beyond that, I would even go so far, although with great reluctance, as to agree that they be allowed their trap licences in 1937 and 1938. They already had them in 1935 and 1936, after the American traps were taken out, so, if they were allowed to have their licences for 1937 and 1938, that would give them four years that they have had them after they should have been out because of the withdrawal of the American traps. Of course, in this I speak for myself alone, and have no power to bind anyone else. I do not think the concession ought to go further and, it is, I must confess, much beyond what I think fair and proper, but I am so anxious for a decision that would be accepted by the minister that I make this suggestion. That is all.

Mr. REID: Do you not think you are weakening there?

Mr. NEILL: Compromise is always better than conflict.

Mr. TAYLOR: Mr. Chairman, I want to explain that the letter written by me on 2nd April, 1936, was written before I made personal and careful investigation of the conditions at Sooke.

Mr. NEILL: The rooster went under the barn.

Hon. Mr. MICHAUD: Excuse me, I have to leave.

Mr. MACNEIL: Mr. Chairman, before the minister departs, may I ask if it is his intention as minister of the department to explain why there was a change of policy regarding this matter. I thought possibly he would place that statement on the record.

Hon. Mr. MICHAUD: I will not admit there was any change in policy. I suppose you have reference to the letter written to the trap owners last January, regarding traps this year. Is that what you mean by change of policy?

Mr. MACNEIL: Yes.

Hon. Mr. MICHAUD: Without admitting any change in policy I shall be able to explain when we discuss the matter in committee. I have to attend a meeting of Council and I am very sorry I cannot stay any longer.



Mr. RYAN: I am sorry I could not be here at every meeting of the committee, due to my presence at other committees, but I should like to know the date of the introduction of these traps at Sooke?

The CHAIRMAN: The introduction of traps in this area?

Mr. MOYER: 1904.

Mr. RYAN: Have we any evidence as to the nature of successful fishing in these waters before the introduction of traps?

Mr. NEILL: Mr. Coverdale gave some evidence of that. He said in 1919 he had successfully gill netted at Sooke. More than that these waters used to be trolled before the traps were placed there.

Mr. MOYER: You are referring to 1904.

Mr. RYAN: Yes. The reason I asked that question is that I followed Mr. Neill's brief as well as I could. My recollection of the evidence at the outset was that these particular waters in the Sooke area were not conducive to seine-fishing. I take it from Mr. Neill's brief that that has been somewhat contradicted. I also remember that a suggestion was thrown out that the traps assisted the seine fishing. At least that is my recollection of the evidence given to this committee. If we had some statistics as to the nature of the fishing and the success of the fishing in these waters before the introduction of the traps it might be of some assistance.

Mr. NEILL: It is 34 years ago and that is quite a long time.

The CHAIRMAN: I may say in answer to Mr. Ryan that evidence has been submitted to the committee for and against. Some witnesses have stated that these waters could be fished by other methods of fishing and other witnesses have submitted that they do not think, in their opinion, that they could be properly fished. So it is a matter of controversy whether these waters are conducive to other means of fishing.

Hon. Mr. TOLMIE: Perhaps Dr. Found can answer the question of the last speaker.

Mr. FOUND: The question as to—

Mr. TOMLINSON: Prior to 1904.

Mr. FOUND: Prior to 1904. I think I can speak with some authority, that there was no fishing carried on in that particular area—I was just trying to get the record. My recollection is that when Mr. Miller—yes, here it is. I happened to turn to it. When Mr. Miller was giving his evidence I asked this question, which is found on page 307. Before I asked my question Mr. MacNicol had asked this question: "And prior to that they had purse seines?" The reply was, "I do not think there was any purse seining prior to that, but there was gill netting, as was reported by my co-witness in 1919. I know there was fishing in that area right up to the time when the traps were licensed in 1919, and I think most of it was gill netting." Well, the traps had not been started there in 1919; they were started in 1904. Then I asked this question: "Was there ever 2,000 pounds of fish landed by gill nets at any time in the whole past record of that area, was that amount of fish ever taken by gill nets in that area?" The witness said: "I will leave that question to my partner here to answer." And his partner, of course, never answered it because I think it can be said with assurance that gill netting in that area has not been carried on.

Mr. NEILL: Are you prepared to infer from that statement that there has never been more than 2,000 pounds of fish landed by gill netting.

Mr. FOUND: In that area?

Mr. NEILL: Yes.

Mr. FOUND: Yes.

Mr. NEILL: To your own knowledge?

Mr. FOUND: No; I am prepared to state this, following the situation very carefully I was unable to ascertain that there was never any gill netting carried on in that area.

Mr. NEILL: That may be. But you heard Mr. Coverdale say he had gill netted in that area.

Mr. FOUND: I asked Mr. Coverdale that question; you listened to the answer.

Mr. NEILL: No; that was Mr. Miller.

Mr. FOUND: I turned there to—

Mr. NEILL: Why didn't you ask Mr. Goodrich? It did not suit you to ask him.

Mr. FOUND: No; pardon me, Mr. Chairman, the reason is obvious enough.

Mr. NEILL: I think no one has any right to ask a question like that and draw an inference such as Mr. Found has drawn. It was a very prejudicial question. He put the question in an invidious form.

Mr. FOUND: I will ask—

Mr. NEILL: It is like the old stock question of "When did you stop beating your wife"?

Mr. FOUND: I will make this statement to the committee; that I have followed the situation closely in my official capacity throughout the years and I do not know of any gill netting having been carried on in that area at any time. I will make this further statement, that this department has tried to encourage gill netting in that particular area by making a provision in the regulations that gives the minister power to allow a net of any length to be used in that particular area in the hope that we could get gill netting established in the area. I should also like to make this statement, if I am permitted to, while I am on my feet, and it is this: Mr. Neill's statement is going on the record and therefore will be published. If you will refer to the statement that I made with regard to the whole matter in speaking of traps, it would not be fair, as a matter of fact, I think I explicitly said that in dealing with traps at Sooke I was dealing with these traps alone and not with the question of traps in British Columbia.

Mr. NEILL: So that, Mr. Found, your statement about there not being 2,000 pounds caught is merely an inference?

Mr. FOUND: Well, all right.

Mr. NEILL: You have no knowledge.

Mr. FOUND: I said that I know of no one who has any knowledge. May I ask this question, Mr. Chairman? Does any member here, and Mr. Neill has been following it very closely, know of anyone at any time—

Mr. NEILL: Do you expect me to be familiar with it. It is 150 miles from where I live, and not in my district although our fishermen are affected.

Mr. FOUND: You would reasonably expect me to be familiar with it.

Mr. NEILL: I am not making statements I cannot substantiate. You are talking about 2,000 pounds of fish there. You do not know. You did not know the legal distance between the traps operating there until I told you. You did not know your own act until I told you.

Mr. FOUND: Yes, thank you, I made a slip there.

Mr. NEILL: You made a mistake about 2,000 pounds.

Mr. FOUND: My question was the usual one. I was not trying to put an inference upon it. I put the question to the witnesses whether or not they knew of any gill netting.

Mr. NEILL: Without having the courage to make the statement you inferred it by a tricky question.

Mr. FOUND: I am not going to make a statement, Mr. Chairman, that I cannot substantiate, but I shall make this statement. I have been unable to ascertain that anyone at any time carried on gill netting in that area.

Mr. NEILL: I am unable to ascertain my mother-in-law's age. That does not prove there is no mother-in-law.

Mr. FOUND: I leave the matter to the judgment of the committee, keeping in view what my responsibilities are.

The CHAIRMAN: Mr. Moyer, are you prepared to go on now?

Mr. MOYER: Thank you, Mr. Chairman. Mr. Chairman, and hon. members: I wish to thank you for the privilege of allowing me to sum up on behalf of my clients who have been operating trap nets for the past 33 years in the waters of Sooke Harbour area of the southwest coast of Vancouver Island. It might not be amiss at the outset to remind the committee of the sequence of events leading up to this thirteenth meeting of the committee.

On January 25 last the member for Comox-Alberni moved in the House of Commons the following resolution:—

That in the opinion of this House, the best interests of British Columbia would be served by the government ceasing to issue trap fishing licences in British Columbia waters.

At the conclusion of a discussion in which hon. members expressed themselves for and against the motion, the minister undertook to refer the matter to this committee, and the motion was withdrawn.

The terms of reference, based on Mr. Neill's motion, are as follows:—

That the question of the advisability of the government issuing trap fishing licences in British Columbia waters be referred to the Standing Committee on Marine and Fisheries for study and report.

This committee held its first meeting on February 11. Mr. Charles F. Goodrich, president of the Sooke Harbour fishing and packing Company Limited, attended at the first meeting of the committee, at his own expense and gave evidence as required from day to day and remained available at the pleasure of the committee.

It was not until March 1 that the suggestion was made that the committee hear delegates representing the various fishermen's unions and associations in British Columbia. The committee agreed to invite the associations in question to select two delegates, whose transportation would be furnished by the committee. Subsequently the committee decided to pay all the expenses incurred by these two witnesses in coming to and remaining at Ottawa, and returning home.

Mr. NEILL: Not all.

Mr. MOYER: The delegates selected and sent to Ottawa were Mr. George Miller and Mr. J. A. Coverdale. They appeared and gave evidence on March 10, 11 and 12.

In addition to the three gentlemen already mentioned, three other witnesses also testified: Dr. Found, Deputy Minister of Fisheries, Mr. J. A. Whitmore, head of the Western Fisheries Division, and formerly assistant to the Chief Supervisor of Fisheries for British Columbia, and Senator R. F. Green. Hon. members will recall that as the investigation progressed, an agreement was reached that trap nets should not be extended to portions of British Columbia other than the Sooke area, and that the committee should confine itself to the question of whether the traps at Sooke should be permitted to operate any further.

Mr. REID: Are you right in that?

Mr. MOYER: I think the chairman said a resolution to that effect was passed.



Mr. REID: I do not think that is exactly the way the resolution was worded. I do not think we said we would allow the Sooke traps to continue.

Mr. MOYER: No, but that the committee should confine itself to the question of whether the traps at Sooke should be permitted to operate any longer. That is the question before this committee.

The CHAIRMAN: I think that is pretty near what the resolution was.

Mr. RYAN: Mr. Reid suggests that the remark of Mr. Moyer is a little bit misleading. The suggestion was that there would be no traps in British Columbia except at Sooke.

Mr. REID: That is not exactly right.

Mr. MOYER: What I meant to say was that the committee decided to confine this discussion to that point of view; in other words, whether or not they should recommend the continuance of traps at Sooke.

Mr. REID: That is correct.

Mr. NEILL: I do not think that is correct either.

Mr. TOMLINSON: Go ahead.

Mr. MOYER: I do not know how I can express it otherwise. A great deal of evidence is before the committee, and a wealth of discussion has taken place. In fact, I believe that discussion occupies more space in the record than the evidence. Mr. Goodrich gave the committee a complete story of the operation of the traps, the catch from year to year and his company's financial record. He denied categorically a number of sweeping allegations contained in speeches made in the House of Commons and in petitions submitted to the committee.

Dr. Found and Mr. Whitmore contributed valuable information regarding the operation of the traps at Sooke, with which they are both familiar, and the salmon fishing industry in British Columbia.

Senator Green stated that in Becher Bay, where he has a summer home, he had been told by trollers that their operations had suffered by the existence of the traps at Sooke.

And now we come to the evidence of the two representatives of the fishermen's organization. I think most of the members of the committee, expecting to hear from practical fishermen, must have been disappointed in Messrs. Miller and Coverdale. Mr. Miller told the committee that he was a walking delegate, and that most of his activities through the years had been as a paid officer of various unions having to do with the fishing trade. He said he had held a purse seine licence for a year or two about 1919 or 1920. During the ensuing 16 years he did no fishing. In 1936 he took out a licence and fished for three days at Rivers Inlet immediately prior to the outbreak of a strike at that point. He said he took a couple of trips up the Fraser river with a local fisherman. And the above represents the sum-total of the experience on which at the outset of his evidence, he described himself as a practical fisherman.

In so far as the operation of the Sooke traps is concerned, Mr. Miller admitted that he could only give the committee second-hand information. He said he had never been at Sooke, and knew nothing about the traps except what he had been instructed to say by organizations representing competitive classes of fishermen.

Mr. Coverdale was selected as the other delegate, because he was supposed to be familiar with the Sooke traps. His evidence was to the effect that he had been employed on the Sooke traps for a portion of the season of 1919, and had not seen a trap since that time. His occupation subsequently and at the present time was that of longshoreman. This witness endeavoured to describe the type of trap which he said was in use at Sooke during the few months that he was there. His description was so vague and fantastic as to suggest some doubt as to the accuracy of some other matters in which his memory appeared to be most exact.



I do not believe that I am doing Mr. Coverdale an injustice when I suggest to the committee that he was a prejudiced witness, doing his best to jeopardize the traps with a lot of unsupported statements dealing with alleged conditions eighteen years ago. He said the company's employees, of whom he was one, were encouraged to violate the fishery regulations, and cited ten o'clock on a Friday morning (18 years ago) as an occasion on which he and another employee had participated in such a violation. He suggested that the fishery guardians and inspector knew what was going on but did nothing about it. In view of its contradictory nature, and the other considerations mentioned above, I suggest that the evidence of this witness should be disregarded in its entirety.

The remaining evidence consists principally of petitions, letters and telegrams. I believe that most honourable members are less and less impressed by petitions as they continue to serve in the House of Commons. And most of the petitions which have been printed into the record of this committee are typical. I venture to say that Mr. Reid could produce on short notice an equally impressive battery of petitions from the gill netters against the purse seiners. I should say that of all the petitions and letters and telegrams presented, the petitions from the people of the Sooke community deserve the most serious consideration. These come from the men working on the traps and their dependents. These people are frankly contented with their lot and are most apprehensive of a change in the existing order which would have the effect of throwing them out of employment and forcing them to seek work in other fields or go on relief.

I shall not attempt to review the figures covering the relative catches by the traps and by other means. That has been gone into very thoroughly. The material before the committee is most extensive and I think the time left for this session is drawing to a close, so I will curtail what I have to say. I was interested in what Mr. Neill had to say about the report to which he would be satisfied to subscribe, and that is that the minister should extend the licences to the traps for another two years. That is something, of course; but it seems to me it is defeating the purpose of the minister's functions if this committee is to tell the minister he may allow these traps to carry on for two years. If the committee takes that position they are tying the minister's hands. It is surely a matter in which ministerial discretion should be allowed to function, not merely for any particular number of years. Ministerial discretion has been allowed to function unhampered for 33 years, and successive governments have tolerated the existence of these traps for reasons that have been, I suggest, amply demonstrated before this committee. The traps operate in a district where other means of fishing cannot operate successfully. They take a very small proportion of the catch. They have the only chance at the native son of Canada, the sockeye, before he gets into American waters. The Americans have their great opportunity then, and finally the Fraser river fishermen have a chance to catch some of what is left. It seems to me the suggestion of Mr. Neill is not meeting the question.

Mr. Reid has referred to the destruction effected by the traps. Well, I think the word "destruction" is a bit ambiguous with regard to fish. From the standpoint of the fish itself destruction takes place by putting the fish into the Canadian can.

Mr. REID: I was referring to destruction of immature fish.

Mr. MOYER: On the other hand I contend the traps are less destructive in the sense of mutilating, wasting fish, than any other gear in operation in the province of British Columbia. No evidence has been adduced before this committee to the effect that the fish do tear each other apart in the spiller, and that dogfish take their fill. All of the evidence in that regard came from men like Coverdale, and others who have never been to the traps, and communications from competing organizations in other parts of the province.

With regard to allegations that the traps are violating fishery regulations, such suggestions have been made by Mr. Coverdale, but there again, there is no proof of any foundation in fact.

Mr. NEILL: What about Mr. Dickie's statement?

Mr. MOYER: Mr. Dickie is a former member of the House of Commons, I understand, and he forwarded this to whom—

Mr. NEILL: To Dr. Found.

Mr. MOYER: He forwarded a letter in which he described complaints which he said had been made to him by someone else—by some organization.

Mr. NEILL: No. He said after hearing a certain delegation he was convinced of the irregularities.

Mr. MOYER: That is his opinion after he had heard certain things, and he told Dr. Found that he was convinced—

Mr. NEILL: Fully convinced.

Mr. MOYER: Evidently the government, to satisfy the group who were complaining about possible irregularities, asked this group to name one of their own number and have him act as an honorary guardian. Mr. Whitla was appointed honorary guardian, and he has been functioning how long?

Mr. FOUND: He still has the authority.

Mr. MOYER: And during that time he has had access to the traps and would be able to see if anything wrong is going on, and he has found nothing.

Mr. NEILL: No. His presence there compelled that, of course.

Mr. MOYER: A rather unkind reference, surely.

Mr. NEILL: I would not reflect on Captain Whitla.

Mr. MOYER: The inference is that that there were irregularities going on before Mr. Whitla was appointed to the job he is now holding.

Mr. NEILL: But not since. That is one for Mr. Whitla.

Mr. MOYER: The suggestion was made by Mr. Green and others that it might relieve an alleged damming up of fish during close seasons—which we do not admit at all—to open a gateway in the lead to the trap. It seems to me that is something that this committee can hardly decide; it is an engineering matter. Surely we should leave that to the minister and his technical officers.

Mr. REID: We can make a recommendation.

Mr. MOYER: You can recommend that the minister investigate the possibilities. With all deference, I do not think that this committee contains experts with sufficient technical knowledge to recommend that a gateway should be opened there.

Mr. REID: There is nothing technical about it at all.

Mr. MOYER: Reference has been made to the situation across the line. The state of Washington removed those traps a couple of years ago, and in former sessions of this committee it was suggested that if we did not take our traps out right away the Americans would probably restore theirs as there was a bill to that effect before the legislature of the state of Washington. They did not restore them; and now it is suggested that we had better take them out or they may restore them in a couple of years from now. I do suggest, Mr. Chairman, that no honourable member of this committee seriously believe that the so called graceful gesture means a thing in this connection. The United States with 200 odd traps did not take theirs out because they thought we would take ours out; they did it for good and sufficient domestic reasons, whether ours were in or out. The fact that we have four or five traps has no conceivable bearing on the matter.

I noticed at the opening of the meetings that Mr. Neill's first suggestion was in connection with a proposed resolution that we might make representations

—that the House of Commons might make representations to the state of Washington—and that that might be embodied in the report of the committee. I think he now realizes that that is not the proper channel of communication even if we were justified in taking such action.

Mr. NEILL: The channel would be through the Governor General or the Minister of External Affairs and so on. I used the word "approach."

Mr. MOYER: The point I wish to make is that our government does not make representations to a state government in a matter of this kind; and we would not be justified in doing so even if we could.

Mr. NEILL: Don't they?

Mr. MOYER: So much has been said about the menace to the traps. I think it might not be amiss to read again something that is on the record. On the 4th of February, 1935, there was some legislation before the American congress. This correspondence is embodied on pages 3 and 4 of the proceedings of the committee of Merchant Marine and Fisheries of the House of Representatives of the United States when considering two draft bills introduced into the house with a view to prohibiting the use of traps in the waters of Alaska. It is also to be noted in that connection that Alaskan waters under consideration were in part at least adapted to other modes of fishing, whereas the waters at Sooke can only be fished by traps. In the above mentioned letter the United States Commissioner of Fisheries . . . —and this is concurred in by the Secretary of Commerce—. . . states in part:—As to that part of the bill which after January 1, 1936, would prohibit the use of any trap, weir or pound net in the waters of Alaska, I wish to say that in my opinion this action is unnecessary either for reasons of conservation or upon economic grounds. It is my belief that in some parts of Alaska traps are a proper and economical method of capturing salmon. In other places, where natural conditions are unfavourable, they are not considered proper and therefore are not allowed under the regulations of the department.

An important point for consideration in connection with the proposal to prohibit fish traps in the waters of Alaska is that in those parts of the territory where traps are permitted the quality of the product is of the very best. Under the circumstances I can see no need of so drastic a step as to abolish traps; in fact, such action would work great hardship upon the industry in some places.

Very careful consideration of the entire subject of traps leads me to the firm belief that their prohibition from the waters of Alaska would be unwise. There has been much popular outcry for years against traps, but, after all, it comes largely from individuals who want to avoid the effects of any competition with the fishing gear they themselves operate.

Mr. NEILL: That is already in the record.

Mr. MOYER: Yes, I said that; but several hon. gentlemen are here this morning who were probably not here when this was put into the evidence, and I think it is most appropriate at this winding-up meeting that it should be read again.

Mr. HANSON: That has to do with Alaska; it has nothing to do with us at all.

Mr. NEILL: You will notice that the word used was "prohibition." He was against total prohibition, but the evidence is that he stopped hundreds of traps in Alaska.

Mr. MOYER: We have come down to the point where there will be total prohibition if we eliminate the Sooke traps.

Mr. NEILL: Oh, yes.

Mr. MOYER: What would be the result if the Sooke traps are abolished? Two companies will be put out of business. Our cannery, we claim, will also



have to go out of business. A community of some 300 people will have to go elsewhere to look for employment, or go on relief and do the best they can. Trap fishing is a specialized variety of fishing, and the trap fisherman is not necessarily a man who can indulge in trolling, purse-seining or other methods of fishing. The government would lose revenue. Mr. Neill has mentioned that that is not an argument, but, possibly, in some cases an iniquitous thing. Who would benefit? The committee has heard the figures as to the catch taken by the trap at Sooke. The fish that pass the traps at Sooke go into American waters. A few of those which the traps might not catch, and would not catch if they were not there, stray back into Canadian waters at the Fraser river. It is impossible to fish in the Sooke waters, so the alleged benefit which has been magnified to the nth degree to the fishing trade in British Columbia waters is, I claim, untenable.

May I say in conclusion that I think the committee would be justified in bringing in a report along the lines suggested by one hon. member at an earlier meeting to the effect that the status quo be not disturbed, but that the committee is against the policy of extending trap licences elsewhere in British Columbia than in this unique location at Sooke; and that (if Mr. Reid wishes) the minister should look into the possibility of improving the traps by opening a gate, or in some other way. It does not seem necessary, but if that would seem advisable, I make the suggestion. Finally, the minister should not be hampered in the administration of a technical branch of his departmental functions.

MR. REID: In the event of the committee bringing in a report concerning the traps at Sooke, have you any objection to the licence fee being increased to, say, \$500 a trap?

MR. MOYER: I am not authorized to speak for my clients in that connection. I think that is a matter which the committee could very well go into. This question of the appropriateness of licences and the various classes of gear might very well be reviewed by the committee, but I cannot subscribe to any particular licence scale. Let the minister decide on the committee's recommendation.

MR. TOMLINSON: I would like to ask a question about dogfish. I was reading the fisheries report this morning which showed that dogfish are now being used commercially—they are being made up into an oil.

MR. FOUND: Oh, yes. Dogfish are, to the extent that market conditions make it possible, used for conversion into fish meal oil. The difficulty of making an industry of that kind continuously successful is that dogfish are catchable in large quantities in certain places at certain times, and then they may not be there for a long time. There is no certainty of supply, but they are quite valuable for the manufacture of fish meal oil.

HON. MR. TOLMIE: Have they reached the point where they can provide sufficient oil to make the fish meal useful on land without hurting the land.

MR. FOUND: Oh, yes, it is the method of treatment of the meal—the type of meal used for producing it and, if necessary, subsequent treatment. Fish meal can be treated by gasoline to practically remove the oil from it.

MR. REID: Is it not a fact that most of the oil is in the livers, and the livers are first removed. You can treat the flesh much easier that way.

MR. FOUND: I know that the liver contains the oil, and you can use the fish.

HON. MR. TOLMIE: Is it the medicinal oils that are obtained from the livers; the other is lubricating oil, I think?

MR. CAMERON: Did you ever hear of Harry Baker?

MR. FOUND: I know who you mean.



Mr. CAMERON: He used to put up dogfish for food at one time.

Mr. FOUND: That was at the instance of the department in an effort to find an outlet for them commercially. Dogfish are used to quite an extent for food in Europe; they are a very excellent food.

Mr. CAMERON: It is only a matter of the name.

Mr. FOUND: There is more than that. There is one peculiarity about the flesh of the dogfish, and that is that if it is held for any length of time it develops uric acid and gives off a very unpleasant odour and it also has an unpleasant taste; but the flesh is beautifully white. It feeds under conditions which should make the flesh good, but it is very difficult to get a market for it. We changed the name by act of parliament to greyfish to get away from that odium, but it did not help.

Mr. NEILL: I have eaten whale meat without knowing it and found it quite satisfactory. Now, in my reply I shall not be more than a couple of minutes. Mr. Moyer says that these people would be put out of business. That is an old gag like the story of the widow and the two negroes. These people will not be put out of business. Their boats will be used as seine boats, and they will go on fishing even if the traps were put out of business. Then they run up against the statement so ably presented by Mr. Taylor in his letter and which I think he wants to revoke.

Mr. TAYLOR: Pardon me. I do not want to revoke anything I have written; but since the letter was written I have carefully investigated the whole position with reference to Sooke. I revoke nothing.

Mr. NEILL: Then he does not want to revoke it.

Mr. HANSON: When he wrote that letter he did not know what he was doing.

Mr. NEILL: Then, if he does not want to revoke it, he says, " . . . that the economic necessity of forty men at Sooke cannot rate against the economic necessity of 5,000 fishermen."

We must also remember that when prohibition went into effect the same plea was made for the barmen; they could not turn to anything else. These other men who have been referred to in the fishing business swore that they would shut down, but they did not shut down; it is an old gag.

Mr. Moyer spoke about Mr. Miller not being a practical fisherman. Is Mr. Moyer a practical fisherman? Am I? Yet the fishing interests employ both of us. Mr. Miller was employed by these people, and they knew what they were doing. As long as Mr. Miller expressed the views of his people it does not matter what his personal occupation was.

Mr. MOYER: He told the committee he was a practical fisherman.

Mr. NEILL: As regards Coverdale, Mr. Moyer cannot by a wave of his hand dismiss his whole evidence. He spoke of Friday morning as being the close season, but he was talking about the conditions when he was there. I may be wrong, but I do not know what the close season is. He said it was Friday morning, and Mr. Moyer says that the close season at that time was not on Friday morning. This man was using the expression meaning during the weekly closed day. Surely that one mistake after eighteen years of forgetfulness on the different conditions of the close season would not offset his evidence. Mr. Moyer speaks of the petitions of forty-one people and 194 people, but, after all, it is a local interest and you can expect them not to want to get out of a job. The people would go to work in the canneries just as before.

He said that my suggestion that we might give them the licence this year and next year—making four years that they were not entitled to—would be an interference with the minister's functions. Now, I really must take distinct issue with him there. We must remember what we are and who we are. We are a committee of the House of Commons appointed by the House of Commons

to report back to them, and Mr. Moyer suggests that we must not make recommendations that would interfere with the minister's functions. Any recommendation that a committee makes interferes with somebody's functions. We have power to report back to the House of Commons, and if the House of Commons accepts that report, the custom is to move the adoption of the report, and if the report is adopted then neither Mr. Michaud or anybody else has anything further to say in the matter. And that is where Mr. Michaud also makes a mistake. I quote from page 206 of the evidence of March 1 of this year as follows:—

Mr. GREEN: Do I understand that the minister takes the view that the department should have discretion?

Hon. Mr. MICHAUD: Yes.

Mr. GREEN: If an emergency arose to establish traps at areas other than the Sooke area.

Hon. Mr. MICHAUD: I think the department should have that discretion. Unless the statute was amended the resolution of the committee or of the house would simply be an expression of opinion for the time being.

He is absolutely mistaken there, because the House of Commons is paramount, and when the House of Commons orders this committee to do so and so by way of resolution the government is bound by it. How often we hear that we must not pass a resolution in the House in a certain form because it would be mandatory. Did we not pass a resolution in the House of Commons abolishing titles in Canada, and it was mandatory; it was not legislation, but everything that the House of Commons does binds the government. We have heard it a dozen times. If the house passes a resolution—and with all due deference to the minister and to Mr. Moyer we have the power to make recommendations, and no minister has power to say it is an expression of opinion of this committee; it is the opinion of the House of Commons. Surely the House of Commons is paramount in these matters. Mr. Moyer says we must not tie the minister's hands. What does all legislation do but tie the government's hands until different legislation is passed. And so it is in this case. If we make a recommendation and the house accepts it, the government will be bound. Mr. Moyer speaks of passing some tentative resolution to the effect that we would not permit traps in other parts of British Columbia, and we have the minister saying that he will not pay any attention, that it is only a matter of expression of opinion of the committee. Mr. Moyer suggests there should be no interference with the minister. We are not to be dictated to here. If we make this recommendation to the House of Commons and the house passes it, the House of Commons is supreme in the matter.

This is not a new thing. This has been going on since 1919 which was the first attempt made to stop traps. In 1925 we fought it and Mr. Meighen stopped it. In 1926 we fought it. In 1929 they sent a commissioner up north and he brought in a report in favour of traps, and the member for Skeena, for North Vancouver and myself made such a fuss about it that in spite of the commissioner recommending in favour of traps they were shut out in that northern area. The matter came up again in 1931, when Mr. Rhodes investigated it, and blocked it and now it has come up again. It is not a question of these petty traps; it is a question of traps in British Columbia. The canneries are not idle. I quoted Mr. Hagar in that connection. It will not be long before he will say that there is no reason for the traps at Sooke except as they apply to all British

Columbia, and there will be a move to have them everywhere. I would like to end with a dramatic touch although I am not usually capable of it and quote a statement I made in connection with this matter in 1929 when I said:—

I believe, and more than that I hope, that a curse will rest upon this government, certainly politically, if they take away the livelihood of these people in order to produce a few quicker and fatter dividends for a corporation. I might almost paraphrase the American orator William Jennings Bryan, and say: We must not, we shall not and we dare not crucify our British Columbia fishermen on a cross of increased dividends.

Those were my sentiments then; they are my sentiments to-day.

The CHAIRMAN: During one of our sessions there was a motion made by Mr. Taylor, seconded by Mr. Hill, which has never been voted on. Does the committee wish to deal with it?

Mr. RYAN: Did I understand Mr. Green to ask a question of the minister who said he would answer that at another time?

Mr. GREEN: I think that was in connection with the resolution passed some weeks ago against traps anywhere else in British Columbia and to simply reserve the question of these traps at Sooke for the further consideration of the committee. I do not remember how it came up, but the minister seemed to want to have it left in his discretion.

Mr. RYAN: I think he said he would give an answer in more detail.

Mr. MACNEIL: I think I asked that question.

Mr. NEILL: There are no motions before the committee; the resolution was out of order at the time it was made. Any new resolutions would have to be made now. It was only put into the record so we could read it.

Mr. KINLEY: I remember the chairman saying that this motion would be tabled.

Mr. REID: I do not think there was any resolution before the committee.

Mr. TAYLOR: It confined the discussion to the Sooke area; because my knowledge of the conditions at Sooke is the only thing that would cause me to change my opinion. I carried on in this committee with the new knowledge I have gained, and with a very determined idea.

Mr. TOMLINSON: In other words, we wasted a lot of time when we should have put you into the box.

Mr. TAYLOR: That is your opinion.

Mr. TOMLINSON: You have a wonderful idea of yourself.

Mr. TAYLOR: I congratulate you on your perspicacity.

The CHAIRMAN: If Mr. Neill's view is that the department's idea and the minister's idea is that they have already made up their minds and nothing will change them then we are only wasting a lot of valuable time. I hope the department's ideas are not fixed, and they will give reasonable consideration to any recommendation that this committee will make.

Mr. TOMLINSON: We should have another meeting to find out what the committee wants.

The CHAIRMAN: There is nothing except the resolution moved by Mr. Taylor away back when he suggested that the matter be confined to the Sooke area.

Mr. REID: That has been practically ruled out.

The CHAIRMAN: Are you willing to drop the motion?

Mr. TAYLOR: I think it is very clear. It affects the Sooke trap area: In view of the evidence of exceptional conditions prevailing on the southwest coast of Vancouver Island between Sombrio Point and Beechey Head the policy of



confining in British Columbia the issue of trap net licences to this area, which has been observed by the department since 1904, with certain annual exceptions, be continued at the discretion of the minister; and that it be recommended to the minister that he carefully review the then existing circumstances when determining annually whether or not licences shall be issued in the aforesaid area.

Mr. NEILL: What is an annual exception?

Mr. TAYLOR: It was brought out in evidence in committee.

Mr. GREEN: That resolution should not be confused with the one I moved and Mr. Reid seconded. It goes much further.

Mr. NEILL: It was withdrawn.

Mr. KINLEY: The decks are clear of resolutions.

Mr. MACNEIL: The committee accepted Mr. Green's resolution.

The CHAIRMAN: It was proposed that we confine our investigation to the Sooke area.

Mr. MACNEIL: Was not that a substitute for this motion?

The CHAIRMAN: I would judge that it took the place of Mr. Taylor's motion. I thought Mr. Taylor was satisfied.

Mr. REID: Mr. Taylor's motion deals with the retention of the traps at Sooke at the discretion of the minister whereas Mr. Green's motion was that we should confine ourselves to Sooke and go against everything else.

Mr. TOMLINSON: This resolution was brought in before the evidence was heard.

The CHAIRMAN: I do not see any need for voting on Mr. Taylor's resolution, because it resolves itself into a question we have decided. The point is whether the committee is in favour of traps or not, and I think we will defer voting on that question until our next meeting. We would like a full attendance at the next meeting. Now, does the committee desire to have the next meeting restricted to members and to prepare a report?

Mr. GREEN: Would it not be well to have Dr. Found and Mr. Whitmore here to deal with technical matters?

The CHAIRMAN: I do not know whether the minister wants to go on the records but he might want to go on the record. I suggest we set a date for the next meeting.

Mr. NEILL: We shall not be meeting in camera if we have the officials here.

Hon. Mr. TOLMIE: Dr. Found should be available to assist us on certain matters.

Mr. GREEN: They can be made available.

Mr. NEILL: You cannot have a camera meeting and have officials present. A meeting in camera is a private meeting of the committee. If there are others present it is not a private meeting.

Hon. Mr. TOLMIE: I understand the "in camera" part all right. We should like the experts present to refute statements, if necessary.

The CHAIRMAN: If we need them we can call them.

Hon. Mr. TOLMIE: That is quite agreeable to me.

The CHAIRMAN: A notice has been handed to me that there are three meetings called for to-morrow, and the possibility of a fourth being called. If we meet it will make five.

Hon. Mr. TOLMIE: Why not meet on Wednesday.

Mr. REID: There is a caucus.

Mr. RYAN: I move that you, Mr. Chairman, follow the usual procedure, and ask permission to sit while the house is in session.

After further discussion the committee adjourned to meet again at the call of the Chair.











Gov. Doc  
Can  
Copy  
M

*Marine, Fisheries, and Fisheries, Standing  
Committee on, 1937*

*CAI XC 17  
- M12*

SESSION 1937  
HOUSE OF COMMONS

STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 14

TUESDAY, MARCH 30, 1937



CONTAINING

Submission by Mr. J. S. Taylor, M.P., a member of the Committee.

OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1937



## MINUTES OF PROCEEDINGS

TUESDAY, March 30, 1937.

The Standing Committee on Marine and Fisheries met at 11 a.m., the Chairman, Mr. MacLean presiding.

*Members present:* Messrs. Cameron (*Cape Breton North-Victoria*), Green, Hanson, Lapointe (*Matapedia*), MacLean (*Prince*), MacNeil, MacNicol, Michaud, Neill, Reid, Ryan, Stirling, Taylor (*Nanaimo*), Telford, Tolmie, Tomlinson, Veniot.

Mr. L. Claire Moyer, K.C., appeared as counsel for the Sooke Harbour Fishing and Packing Company, Limited, Sooke Harbour, B.C.

Mr. Neill read a letter received from Mr. J. A. Coverdale, Port Alberni, B.C., a witness in attendance before the Committee on March 10. The Chairman also read a telegram addressed to Hon. Mr. Tolmie by Mr. J. H. Jewkes, Secretary of the Affiliated Fish and Game Association of Vancouver Island. The above communications appearing in Minutes of Evidence.

Mr. Taylor requested permission to present the case of the fishermen at Sooke before the taking of evidence was concluded, and, permission being granted, read a memorandum incorporated in this day's Minutes of evidence.

The Committee then proceeded, *in camera*, to discuss its final report to the House. Mr. Hanson moved, seconded by Mr. Cameron, that a sub-committee, consisting of the Chairman and Messrs. Tomlinson, Reid, Ryan, Tolmie, Neill, MacNeil and Taylor, be appointed to consider the suggestion made by different members of the Committee and draft a report to be submitted to the Committee for approval.

Motion carried.

The Committee adjourned to the call of the chair.

R. ARSENAULT,  
*Acting Clerk of the Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS, Room 268.

March 30, 1937.

The Standing Committee on Marine and Fisheries met at 11 o'clock, Mr. A. E. MacLean, the chairman, presided.

The CHAIRMAN: Now, gentlemen, I think we have a quorum.

Mr. TAYLOR: Before the public proceedings are closed I think the case for the fishermen at Sooke should be presented, and I desire to do so if the committee has no objections.

The CHAIRMAN: We are in the hands of the committee. What is the committee's wish? Do you intend to make a long statement?

Mr. TAYLOR: No; but I think it will be a sufficient statement to show their case.

Mr. NEILL: Before the committee's proceedings officially open I want to read a letter I received from Mr. Coverdale which I think ought to be dealt with first. It is addressed to me and reads as follows:—

PORT ALBERNI, B.C.

March 24th, 1937.

DEAR SIR,—Since reaching home I found out what they were referring to when they said they had a telegram saying I was dismissed from the Sooke Harbour Fishing and Packing Co., "for cause". I find that they were claiming I was dismissed for stealing fish and was convicted. This is all false and I should like for you to get me a copy of that telegram, if possible so I can start an investigation. I am not going to stand anything of this sort if it can be found who started such a story.

Would you recommend Mr. Arnold Hanna to handle this? For there is no foundation for such an accusation whatever. If you will do this much for me I will certainly appreciate it very much, for that is a terrible story to be going around and not be true.

Wishing you every success,

I am,

Very truly,

(Signed) J. A. COVERDALE.

You remember Mr. Moyer exhibited the telegram and said:—

Q. Would you also deny what is stated in this telegram, that you were dismissed for cause?—A. I quit. I was not dismissed. I quit on my own.

Q. The alleged cause of dismissal is contained in this telegram. I do not want to bring it before the committee but the statement that you were dismissed for cause is contained here.

Later on Mr. Moyer said:—

The witness has stated that he helped to drive these traps. I wanted to make clear why he left and what he was doing.

Mr. Moyer then handed the telegram to the chairman, and the chairman, I suppose, read it. It was not put on the record. I believe this man is entitled

to a copy of the telegram. I do not suggest we should deal with the merits of it at all. If the wire contained an assertion to the effect that Mr. Coverdale had been convicted of theft I suggest he is entitled to a copy of the wire.

The CHAIRMAN: Do you wish the letter put on the record?

Mr. NEILL: I should like the letter and the wire put on the file. I think in justice to the man, if the wire contains what he now says it does, he is entitled to it.

Mr. TOMLINSON: That was not in the wire sent to the committee, so far as we know.

Mr. NEILL: It was submitted to the committee. The chairman had it in his possession. Allegations are made against the man stating that he was convicted of theft. That is a very serious matter.

Mr. MOYER: There was no suggestion made by me along that line. I did not mention "theft" or anything of that kind. I had a telegram addressed to me by the company. Mr. Gooderich stated he had been dismissed for cause. I produced that wire before the committee, but several members said it was not material. I then handed it to you, Mr. Chairman. You saw the telegram and decided that it was not material, and the telegram was not filed. I asked Mr. Coverdale if it was a fact that he had been dismissed for cause and he said no. That should surely end it. I have not the telegram with me this morning.

Mr. NEILL: Do you think in fairness to the man that a statement of that kind should be made? If the wire does not contain that assertion then we should clear it up. If the wire does not accuse him of theft, don't you think, in fairness to the man, it should be produced? How would you like to be accused of a serious matter like that? The chairman had cognizance of the wire, and I think in justice to the man, who is just an ordinary man, if the telegram accused him of being convicted of theft, it should be produced. If it does not say that, produce it, and it will clear it up.

Mr. TOMLINSON: The wire was not produced.

Mr. NEILL: It was not submitted, but this is what it says here: "Would you also deny what is stated in this telegram, that you were dismissed for cause?" Mr. Moyer made this remark while holding the telegram in his hand. Later on he said: "I wanted to make clear why he left and what he was doing." This is found on pages 228 and 229 of the Minutes of Proceedings and Evidence.

Mr. REID: Would it be possible, Mr. Chairman, if the telegram was not placed in the record, for you to know of the contents of the telegram and what it was?

Mr. TOMLINSON: No.

Mr. NEILL: Did you read the telegram, Mr. Chairman?

The CHAIRMAN: I cannot say I read it, but I glanced over it and decided it was not material. You remember Mr. Coverdale stated in giving his evidence that he counted a certain number of fish going into the trap? You all remember that. He said he counted 258 fish and one of them had a trolling spoon in its mouth, and he said "That is my fish." Then, he said that he had taken that fish for himself, according to his evidence. I concluded that the telegram referred to that one incident, that he had taken that fish, and that the company had dismissed him. That is the interpretation I put on it.

Mr. NEILL: If it was as innocent as that there is no objection to producing it. The man has the idea that it was said he was convicted for stealing fish.

The CHAIRMAN: Convicted?

Mr. NEILL: He has that opinion. He may be wrong. If you produce the telegram, and the accusation is not contained therein it will clear up the matter.

Mr. MOYER: Does not the letter solve the problem? Is not the letter sufficient? He says he has heard rumours for which there was no foundation in this committee. In his letter he says he is not guilty of what the rumours allege. Is not that sufficient?

Mr. NEILL: If Mr. Moyer will say the telegram contained no reference to his stealing fish that will be satisfactory. It will be more satisfactory to produce the telegram.

Mr. MOYER: If I had been aware of this I would have brought the telegram along and shown it.

Mr. RYAN: I was not here on that day, unfortunately, as I had to be present at other committees, but from the discussion to-day it seems to me that the telegram was available and could have been produced; but the committee decided otherwise. The way I feel about it is this: if there was nothing in the telegrams that were produced that in any way reflects on Mr. Coverdale, he is not hurt, and in fairness to him I think we should adhere to our decision to rule this particular telegram out. There is nothing on the record accusing Mr. Coverdale of committing theft. The telegram simply states that he was dismissed for cause. If we produce a telegram now and do not give him an opportunity to answer it it will be unfair to him.

The CHAIRMAN: I believe there is a good deal in what Mr. Ryan has said. If Mr. Moyer will make a statement to that effect, it will be satisfactory.

Mr. CAMERON: My recollection of the dismissal is as it appears on the record. It was said that Mr. Coverdale was dismissed and he was asked a question along that line. He said he was asked to do more work than he thought was fair.

Mr. MOYER: That is right. That is what he said.

Mr. CAMERON: He refused to continue on and work two shifts, or something like that.

Mr. NEILL: That is right. When he gave that evidence he did not know about the wire that was handed to the chairman accusing him of theft. If he had known that he would have had very much more to say.

Mr. MOYER: He was in the box when I handed the telegram to the chairman.

Mr. NEILL: The telegram was not handed to him. You fluttered the telegram before the committee and said: "Would you also deny what is stated in this telegram that you were dismissed for cause?" You then gave the telegram to the chairman and not to Mr. Coverdale.

Mr. MOYER: To the chairman to decide whether it was evidence.

Mr. NEILL: He did not give any evidence.

Mr. CAMERON: Is it a fact the telegram is not in the evidence?

The CHAIRMAN: No, it is not.

Mr. NEILL: He asks it to be put in now.

Mr. MOYER: He should have asked then.

Mr. NEILL: That is because the man has not a competent lawyer. Is he to be penalized for that? Is he to be penalized because I am a few days late in asking it? I did not know of it until to-day. I did not know he was accused of that, neither did he.

Mr. MOYER: Until he went home and some people in the vicinity gave him the idea that this telegram contains something terrible.

Mr. NEILL: It is up to Mr. Moyer. If this is all wrong, produce it, and that will end it.

Mr. MOYER: I have not got it here. I will be glad to produce it. I think Mr. Ryan has taken the proper attitude. If it is produced now Mr. Coverdale will be up against this proposition: he is entitled to answer it if it contains an accusation against him, but he is not here.



Mr. NEILL: Then Coverdale has his own remedy. It is then between him and the sender of the telegram. It is only right that I should ask for the production of the telegram, then let Coverdale do whatever he wishes.

Mr. TOMLINSON: I do not think this committee should be used as a means of producing evidence with regard to an action between two parties.

Mr. NEILL: We do not want that; but we do want to have the telegram produced. The telegram has been produced, and I think it should have been made part of the evidence here and placed in the record.

Mr. TOMLINSON: Do I understand that he objected to the telegram?

Mr. NEILL: Who did?

Mr. TOMLINSON: The committee.

Mr. NEILL: This is what is stated in the record: "Would you also deny what is stated in this telegram that you were dismissed for cause?" Later on Mr. Moyer said: "I want to make clear why he left and what he was doing." He could have made clear that the telegram was accusing him of committing theft. If that is in the telegram he is entitled to have it put on the record.

Mr. MOYER: The committee decided they did not want it.

Mr. CAMERON: The way it appears to me is this: the telegram said "dismissed for cause," and the record shows Mr. Coverdale pointed out what the cause was. To my mind that is a complete vindication of Coverdale.

The CHAIRMAN: I believe the committee will accept it in that way. The committee will accept Mr. Coverdale's denial.

Mr. NEILL: He was not asked if he had been convicted of theft. He was asked if he had been dismissed for cause. Being dismissed for cause is different from being dismissed for theft.

The CHAIRMAN: I believe the record protects his interests and the committee is willing to accept Mr. Coverdale's denial.

Mr. NEILL: If Mr. Moyer will make a statement to the effect that there is nothing in the wire reflecting upon Mr. Coverdale that will be all right, too. Will you go as far as that?

Mr. CAMERON: Unless you regard the statement that he was dismissed for cause as a reflection.

Mr. NEILL: There was nothing in the telegram referring to a conviction?

Mr. MOYER: Nothing whatever.

Mr. NEILL: Or stealing fish?

Mr. MOYER: No.

Mr. NEILL: If you say that and it goes on the record, that is sufficient. If the telegram refers to him as being dismissed for cause and contains nothing about stealing fish—

Mr. MOYER: Nor any conviction.

Mr. NEILL: Nor a conviction, all right.

The CHAIRMAN: All right, Mr. Taylor. Before Mr. Taylor commences I should like to refer to a telegram that was handed to me by Mr. Tolmie. I think it should go in the record and I shall read it:

VICTORIA, B.C., March 24, 1937.

Hon. S. F. Tolmie, House of Commons, Ottawa, Ont.

Meeting of affiliated fish and game associations held at Nanaimo March 23 STOP opposed to fish traps in B.C. STOP this association represents 1800 sport fishermen STOP please advise other members from Vancouver Island.

J. H. JEWKES,

*Secretary Affiliated Fish and Game Assn. of Vancouver Island.*

Mr. TAYLOR: Mr. Chairman, and members of the committee: Listening during the last meeting 22nd March to the statements in summing up by Mr. A. W. Neill and finding that he had with great political astuteness saved a certain letter written by me for what he assumed would be the last published record of the committee, I later discovered from the copy of that letter in my parliamentary office files the incomplete manner in which its contents had been presented.

That letter was written by me on the 2nd April, 1936, less than two months after I had entered on my parliamentary career and before I had had either time or opportunity to personally investigate the Sooke trap question. It presented the orthodox C.C.F. viewpoint and was written after the government intentions had been expressed. For its entire bearing on the situation I consider that it should now—having been used as a tool by Mr. Neill—

Mr. NEILL: Order, order.

Mr. TAYLOR: —fulfil its true purpose and assume its proper proportion in the light of my declaration today that since it was written I have made much study of the whole matter of fishing in this Sooke area and as a consequence have changed my mind and now consider that the present situation is to say the least not unjustified.

It is all the more important that these facts should be properly stressed because in the general summing up, no one has presented the situation for the Sooke workers and I propose so to do as briefly as possible.

Firstly then the complete letter is as here follows, with copies to A. J. Whitmore, Fisheries Department, to the Women's Auxiliary of the Canadian Legion, 54, and to Mr. Wm. Vowles, General Secretary, Sooke and Milnes Landing Branches, Workers and Farmers Protective Ass'n., Sooke, V.I., British Columbia:—

Your letter of the 10th of March with resolution from your Association in connection with fishing traps in the Juan de Fuca Straits at Sooke, along with other resolutions of a same nature, has received my very careful attention and formed the matter of discussions with the Fisheries Department.

I am very much afraid that very little can be done to help you in this particular request. The position at Sooke is a very peculiar one. Fishing interests generally in B.C. have suffered because of the unreasonable activities of fishermen belonging to the United States, who have refused to bargain with or deal with the fishing interests in Canada. They have established traps in the line of the fish run, and they have definitely fished very far out to sea beyond Cape Flattery where the fish caught are not as good as they become a little further in when approaching closer to the tidal waters. The result has been that 70 per cent of the fish caught proper to the Fraser-river-spawning went to United States interests, and the Canadian Fisheries Department, with all the Canadian fishing interests, faced the fact that the Fraser river was providing a spawning ground within Canadian limits which was very largely a benefit to the United States interests, who selfishly took all the advantages possible.

There is now evidence of an intention to recognize the evils attending the old conditions, and to be fair in the new agreement. It is true that the agreement is still unsigned by the United States. This doubtless arises from the fact that considerable local resistance is being developed in the State of Washington, but, judging the fishing interests of B.C. as a whole, so much has been achieved by the present situation that the Department and the government generally are determined to bring every reasonable encouragement to the completion of the agreement.

From 70 per cent of the fishing catch becoming American it is now, United States 47 per cent and Canada 53 per cent, and neither country

can complain of this division. You see, therefore, that the anomaly of the trap situation at Sooke must be grappled with from the general public interest. If the Sooke traps are allowed to remain, an excellent excuse can be advanced by the United States fishermen for the re-establishment of American traps. The Sooke workers appear to be falling between the two stools and I say, in all kindness, that there is no commercial justification for my advancing any arguments to destroy the position taken by the Fisheries Department. They are manifestly doing their plain duty when they protect the larger interests in the community, and it would appear that the economic necessity of 40 men at Sooke cannot rate against the economic necessity of 5,000 fishermen definitely affected by the elimination of the trap system.—”

Mr. NEILL: Hear, hear.

Mr. TAYLOR: —This may not be the proper time nor place to preach a homily on the present capitalistic system, but it must be obvious to you that if fishing were conducted for the benefit of the whole community, and not for the benefit of a few capitalistic interests, the whole aspect would be changed.

I am deeply in sympathy with your people. These conditions in greater or less degree are developing all over the country, in fact all over the world. Economically every community is undergoing change and, while I am writing to you, I am compelled to remember others in different lines of activity, and in different places, who have been compelled to face the unemployment problem because of the claims of larger commercial interests.

Now, finally I have given you the stand of the Department who are being pressed to act by several thousand fishermen affected. I have told you frankly that all that I can do will be to beat the air; further, my economic convictions cause me to say that the whole system is needing remedy and that an economically different system must be advanced. That is why the C.C.F. are endeavouring to impress themselves on the country. There would be no need of this distress if we could bring about a change to the benefit of all.

However, it may be that when you have carefully read my communication you may decide that there are points which I have not covered and steps which the government might take which would relieve the situation. I want to assure you that I shall be only too pleased to do all I can to advance your ideas, if that can be so done with reason and without distress to the larger element in the community.

With good wishes, I am

Yours very truly,

(Signed) J. S. TAYLOR.

Now in this whole problem let it be borne in mind that we are dealing with a peculiar phase in the life history of the various salmon types. Out of the salt water they come on their last journey. It is known that they spend some time on the banks off the entrance to Juan de Fuca Straits, but here they are not properly schooling, they are feeding voraciously preparatory to their next move.

Reading from John N. Cobb again, Fisheries document 1092, Bureau of Fisheries, U.S. Department of Commerce, page 421:—

In 1909 Mr. J. R. Heckman, of Ketchikan, Alaska, a well-known cannery man, told the writer that, while he was trying to install a floating trap near Cape Chacon, at the lower end of Prince of Wales Island, southeast Alaska, he on several occasions observed red salmon—the Alaskan name for the Sockeye—feeding on what he called a red shrimp.



This was also observed in 1912, when Dr. Gilbert reported, in connection with his observations of salmon fishing on Swiftsure Bank, off the Straits of San Juan de Fuca, that "during the past summer it was observed by Mr. J. P. Babcock and the writer that the sockeye on the bank were feeding extensively on a small shrimp-like crustacean (*Thysanoessa spinifera*, Holmes), which floats in incredible numbers on the tides and forms a favourite food for the other species as well as for the sockeye." He also found all the other species feeding voraciously in this neighbourhood.

Now Dr. Found said at page 27 of the Minutes of this committee, "the fishing carried out on the Swiftsure Bank is different. That is the feeding ground and the sockeye taken from there is largely feeding fish and not desirable fish from a canning standpoint."

This was confirmed by Mr. Goodrich who said—page 68 these Minutes—speaking of the fish taken at Swiftsure Banks, "They are very good fish and perfectly satisfactory. They are, however, full of feed and if they were transported a great distance there might be deterioration from that cause." In spite of this, however, U.S. seine boats fish them extensively at this place. Mr. Moyer asked, page 43 these Minutes:—

Q. Mr. MacNicol asked the question: do the sockeye first touch Vancouver island where your traps are located?—A. The sockeyes enter the straits here (indicating). They play around for some distance, and sometimes, as a rule, off Cape Flattery and Neah Bay there appear to be feeding grounds there which cause them to school up, and they are taken in very considerable numbers there by purse seine boats, practically all of which are American. I have the figures with me from the Pacific fishermen, that on August 16, 1934, a fleet of 52 purse seine boats belonging to the Everett Packing Company of Everett, Washington, took in one day 107,000 sockeye off the Swiftsure banks, which happens to be a trifle over 150 per cent of all the sockeye that we took at Sooke during the entire season. That was one day's catch. I have the *Pacific Fishermen* with me, which I will be glad to leave with you.

Please note that this equals 291 fish per man in one day.

And here I interject a statement made personally to me by the late George Dawson, one of the most reliable cannery men of his day, then one of the owners of the Kildala Packing Co. Ltd., and other packing interests. Speaking of salmon, he said:—

My reputation has been built up partly because I insisted that salmon should be canned the day they were caught. I always rejected salmon caught the day before they were offered to me. The reason is obvious and the result meant everything to my reputation. Good salmon in good condition when caught and canned fresh improve in the can and it has been my habit to hold canned salmon in my household as long as five years before opening for personal use. This has got to be tested to be appreciated.

Mr. NEILL: Who is George Dawson?

Mr. TAYLOR: George Dawson formerly of Dawson and Buttimer, with well-known fishing interests in British Columbia. George Dawson died about two years ago.

Mr. NEILL: I never heard of him.

Mr. TAYLOR: The situation then is that the engorged fish enter the Straits of Juan de Fuca for the 150 to 200 mile run to the mouths of their spawning streams. They swim in a broad open race (See page 67 these Minutes), which stretches across the straits—seaway about 80 miles long and, at its narrowest



point, about 16 miles wide (See page 45 these Minutes). Some little fishing is carried on at intervals right across these straits, but the fish race is too open for commercial results (See page 62 these Minutes), refer also to Senator Green's evidence page 220 these Minutes. Along the route the fish swimming near the shore are frequently massed up together as when passing round the headlands of an open bay and in certain places they rest and play about in the eddies. And so swimming easily on the flood tides bucking the ebbs and playing about more or less in the slack waters they at last reach the rivers of their spawning grounds. It is at the mouths of these rivers that real schooling takes place, and, as the result of my investigations and reading, I am of opinion that they, especially the sockeye, often remain around the river mouth in the roiled waters for as long as a week. Here they are in comparatively fresh water and whether it is, as some fishermen have told me, that the gullet becomes restricted, or for some other reason, it is a fact that they cease to feed and commence increasingly to fall under the biological urge.

Mr. REID: Is that your authority, or some other authority?

Mr. TAYLOR: You will probably discover that a little later on.

Mr. NEILL: He is now saying what somebody has told him.

Mr. TAYLOR: I think Cobb has something on this on page 413.

Mr. TOMLINSON: What is the urge?

Mr. TAYLOR: I am afraid I cannot help you if you do not know. I think I shall have to refer to that later on.

Mr. HANSON: Go ahead and read.

Mr. TAYLOR: At the same time physical changes take place which can best be described by an excerpt from the latest edition of the Encyclopaedia Britannica in an article on salmon and the salmonoids. It states:—

The fresh-run fish are silvery with red flesh full of fat; they do not feed in the rivers and the sexual glands are developed at the expense of the other tissues so that the flesh becomes pale and watery. In the breeding fish the silvery coloration is replaced by a dull grey or brown and, in the males especially, large black spots edged with white and irregular red spots appear on the body. The skin is thick and spongy with the scales embedded in it. In the males the front teeth are enlarged, the jaws are prolonged and the lower is hooked upwards.

These peculiarities of the breeding fish are probably due to their abnormal physiological condition while fasting and transferring substance from the muscles to the genital glands.

Mr. TOMLINSON: Is this the biological urge?

Mr. REID: Mr. Chairman, I do not want to interrupt, but—

Mr. HANSON: Mr. Chairman, are we dealing with fish traps now, or what are we dealing with?

*Mr. Taylor:*

The female fish scoops out a trough in the gravel and sinking into it deposits some eggs which are fertilized by the male. She then covers the eggs with gravel by strokes of the tail burying them to the depth often of about a foot.

After the life processes contributing to the biological urge the kelts or spent fish rarely find their way to salt water again and most of them float down the rivers tail first slowly dying.

At this point it might be well to state that no shoal of fish is entirely of one type or even of one breed. Like the camp followers of an army many varieties

large and small, accompany the mass and not the least of these are the sexually precocious youngsters which we call grilse. John N. Cobb, U.S. Fisheries Document 1092 says at page 417:—

The term "grilse," as used for Pacific salmon, signifies conspicuously undersized fish which sparingly accompany the spawning run. They are precociously developed in advance of the normal spawning period of the species. So far as known, the grilse of the king salmon, coho, and dog (chum) salmon are exclusively males; of the sockeye, almost exclusively males, except in the Columbia river, where both sexes are about equally represented. The larger grilse meet or overlap in size the smaller of those individuals which mature one year later at the normal period.

Grilse of the sockeye are in their third year, of the king salmon in their second or third year, of the coho and the dog (chum) salmon in their second year.

This answers the question of Mr. Grant MacNeil at the bottom of page 21 these Minutes.

Thus we come to consider the Sooke area.

The fish have finished feeding and are in the best possible physical condition, just as practically all nature is prior to assuming its life duty.

Of the traps placed to intercept them three are at or near headlands to catch them as they mass together to turn the corner. When trapped the fish are regularly brailed out and placed on scows and rushed to the near-by cannery—20 miles away—see page 39 these Minutes,—where the freshness of the fish and care in the canning has helped to ensure the excellent reputation of the brand packed there. Page 55 these Minutes; replies to Mr. Kinley and the chairman.

Of the traps much has been said and herring and dog-fish innumerable have been dragged across the trail to condemn them, but an appeal to reason is here made. The lead consists of a special framework constructed of piles covered by wire-netting which has an extended-mesh-gauge of six inches. This netting is completely in about the end of February in each year and remains in position till the early part of October—see pages 40 and 41 these Minutes. This means that the meshed lead is in the water 8 months. In two or three weeks it begins to gather sea-weed and kelp and this must be constantly kept down, otherwise a solid bank of it would develop, which, with the oncoming tide would probably take away the whole trap. Four men are definitely assigned to this work—see pages 40-41 these Minutes.

Mr. REID: I rise to a point of order, Mr. Chairman. I do not want to interrupt, but when we commenced this morning, Mr. Taylor asked permission of the chairman and the committee to lay before this committee the case of the workers in connection with the Sooke traps. We have been listening to a long history of the salmon, and half a dozen times during the statement Mr. Taylor has said he was going to deal with the situation in regard to the Sooke traps, but so far he has not done so. That is my point of order.

Mr. TAYLOR: I have something here on behalf of the Sooke workers.

Mr. NEILL: Out of the Encyclopaedia Britannica.

The CHAIRMAN: Can you condense it?

Mr. TAYLOR: I am not anxious to take up the time of the committee at this meeting and I will not be long.

Mr. TOMLINSON: You have taken up plenty of time.

Mr. TAYLOR: I have a record of the time I have taken up.

However, apart from all these conditions the traps conform to Fisheries requirements in their structural adaptation and it has not been proved that there is any deliberate attempt to evade Fisheries regulations in the matter of the closed season. (Refer to page 41, these Minutes.)

It has been repeatedly insinuated otherwise, but it is difficult for a clean-minded man to discover anything of subterfuge in Mr. Goodrich's evidence presented on page 42 of these Minutes, which I propose to read again—

Mr. REID: Just what is meant by a "clean-minded man"?

Mr. TOMLINSON: I should like an explanation of that.

Mr. TAYLOR: Mr. Goodrich says at page 42—

Mr. NEILL: What does he say?

Mr. TAYLOR: You will find it right at the top of page 42:—

There are traps started like this in certain places which would fish both on the flood and the ebb tide. Now, then, this entrance to the traps is normally closed because there is no fishing on the ebb tide. The fish come in here (indicating). Now, they have an apron which drops down over the top of these capping piles, down to the bottom, effectively preventing the entrance of any fish, not only during the closed time but at night. That is always dropped at night. Reference has been made to trap fishing twenty-four hours a day. It is not active—

*By Mr. MacNicol:*

Q. Then the fish can go back around?—A. Yes, if they are coming in here—if there are any fish coming in here on the flood tide. There might be a limited number of them congregate here for a limited time; but when the tide ebbs and goes the other way the fish would no doubt go the other way.

Mr. NEILL: Is it forbidden by law to fish at night?

*By Mr. Moyer:*

Q. Mr. Neill asks whether you are forbidden to fish at night?—A. No; neither are the purse seiners.

Q. Why not?—A. Because the trap will not fish at night; and furthermore if the watchman did not drop that apron as the last thing he does before going ashore at night he not only would not catch any fish during the night but he would lose whatever fish he would have in the trap, or a large number of them, because the phosphorescence of the water is such that it illuminates the walls of the trap like a wall of fire almost, and this opening here is simply an open door. You might as well say, "come on boys, this way out."

Mr. NEILL: Hear, hear.

Mr. TAYLOR: As is very natural, the trap-net-leads vary in length and are from 600 to 2,000 feet, depending upon the angle of the shore ramp. (See page 40 these Minutes.)

Now it has been satisfactorily proved that the Sooke traps fish on one side only—that side facing the direction from which the fish come, the west—as I have just read. This is highly important to remember. It tends to set in proper perspective the frequent statement that the fish swim around in the eddies and wait to be caught when the tide turns. There is no fishing on the ebb tide it will be remembered because the traps are onesided and it is obvious that if the companies could fish on the ebb tide they would not hesitate so to do, but the facts are that the fish buck the ebb tide and save for those resting the movement is constantly from the sea to the rivers.

Here I note J. A. Coverdale on page 234 these Minutes. He agreed that during ebb tide the tendency would be for the fish to fall away from the lead. That statement was in accordance with the expert statement of John F. Cobb already given and the declaration of Mr. Goodrich—see page 42 these Minutes.

Mr. NEILL: You said "evidence".

Mr. TAYLOR: No, "expert statement."



Mr. NEILL: You said "evidence."

Mr. TAYLOR: Pardon me; I am reading from my manuscript. Here it is (showing Mr Neill).

But it is well that the mental facility of the witness should be stressed here for having so definitely committed himself in one direction he does not hesitate to commit himself with equal definiteness in the other direction as may be judged when I read from page 264 of these Minutes: The witness at the time was Mr. Coverdale.

*By Mr. Moyer:*

Q. The question was "As a matter of fact the fish do not move back with the tide; they are continually trying to progress in one direction?" Your answer to that question was "Yes, sir."—A. That is their natural way of working, against the tide all the time. But, I suppose if they are in slack water they are lying there waiting for a start, and—

Q. Waiting for a tide to fight?—A. To buck the tide again.

*By Mr. Tomlinson:*

Q. They are resting?—A. I am not posted on this very much.

*By Mr. Taylor:*

Q. Just what do you mean by slack water, Mr. Coverdale?—A. The tide is not so swift.

Q. The term is generally used to describe the condition between ebb and flow?—A. Yes.

Q. So that it is only between the tides that the fishing is done?—A. Yes, sir.

Q. What happens when the tide is definitely flowing?—A. The trap is fishing.

*By Mr. MacNicol:*

Q. Do they fish when the tide is running out as well as when the tide is running in?—A. Sir?

Q. Is the trap fishing when the tide is running out?—A. No, sir.

Q. And fishing when the tide is running in?—A. No, sir.

Q. Just when it is running in?—A. Yes.

Now for a moment let me refer to eddies. I tried to obtain from Witness J. A. Coverdale—

The CHAIRMAN: Mr. Taylor, pardon me just one moment. The Minister has to go to a Council meeting at 12 o'clock. At the last meeting of the committee the suggestion was made that we hear from the minister and any suggestions that the members have to offer, and then complete our public sittings. Would it be all right with you if we delayed your statement and heard from the minister at this time?

Mr. TAYLOR: I feel this is important from the point of view of the workers. We have had all other sides presented. We have had nothing presented from their side either from the members or anyone else.

The CHAIRMAN: It would take you fifteen or twenty minutes to finish?

Mr. TAYLOR: Yes.

Mr. NEILL: Suppose we have an intermission and hear the minister?

Hon. Mr. MICHAUD: I have no statement to make.

The CHAIRMAN: On account of the house beginning morning sessions to-morrow morning we would like to complete our sessions to-day. If any members of the committee have suggestions to make or motions to offer I think we should hear them now, as they might help us in arriving at a conclusion and the formulating of the report.



Mr. TOMLINSON: The resolutions are not to be taken down in shorthand, are they?

The CHAIRMAN: What is the wish of the committee in that regard? I see no objection to putting any motion on the record. The committee will draft the report later on.

Hon. Mr. MICHAUD: It seems to me the practice is as soon as the evidence is completed the committee goes into camera and decides what they shall do.

Mr. TOMLINSON: Yes.

Hon. Mr. MICHAUD: That is my experience with legislative committees.

Mr. TAYLOR: It involves the completion of this statement.

Mr. REID: We did not think there would be any evidence this morning. We thought all the evidence was in. We thought this meeting would be in camera.

Mr. TOMLINSON: I should like to place my resolution before the committee while the minister is here.

Hon. Mr. MICHAUD: How long will you take to finish?

Mr. TAYLOR: Perhaps 15 minutes—not very long, sir. I am not trying to impose on the committee. Please do not think that. There seems to be a feeling that I might be trying to impose, but I am not.

I tried to obtain from Witness J. A. Coverdale an intelligent description of an eddy but failed to do. (See page 265 these Minutes.) I lived for many years on Burrard Inlet about 10 miles from the city of Vancouver and went to and fro from city to home daily. During those years and since I have had ample opportunity of learning what an eddy was in relation to a six mile tidal flow. It rarely exceeded a reversed flow 50 feet from the shore line in width. Of course a lagging tidal flow will run in one direction while the changing tide is making itself felt. It is easily possible to discover that and a tide rip very often develops along the line where the flows touch each other. But these tidal flows run past each other down the scour line of the channel and never along the shore marge. This is important. There are places where lagging tidal flows have produced effects of great importance to mankind, as for instance, in Southampton Water where the port of Southampton has attained its eminence largely because it enjoys an added two hours of high water due to this phenomenon, but eddies are relatively small things and a little consideration will show that the structure of the traps and their extension outwards is with the idea of fishing in the main stream and not for the purpose of making fishing value of the eddies.

However, at this point it would be well to be reminded that the fish passing within the operative ambit of the traps have been found from a test of 871 fish tagged and liberated from the Sooke traps to present 147 recoveries only. Of these 147 recoveries 14 were caught in Canadian waters, 122 in United States waters, 8 were recaptured at Sooke traps, one in Burrard Inlet—and here let me say that quite a number go there to spawn in the Lynn, Capilano, and other creeks, and in the Indian River, but of course not in commercial quantities. One was found away down in Puget Sound, 3 were found at points far up the Fraser above the commercial limits, while the remaining 2 were found at points which suggested that the fish were not going to spawn in the Fraser river at all. (See page 341 these Minutes.)

Now let us investigate the workers themselves. Out of a total of 41 (40 to 45 has been stated by Mr. Goodrich—see page 38 these Minutes). Out of a total of 41 who signed the Sooke employees' petition—see page 15 these Minutes—we find 27 of them owning their own homes or nearly 66 per cent. The average length of service of these 41 men is claimed by Mr. Goodrich to be

13½ years. These figures are truly remarkable and reflect the greatest credit not only on the community of Sooke, but also on the companies where they find employment. I go farther to state that I doubt if there are many isolated communities in the whole of Canada presenting such an admirable economic picture.

It has been frequently said by Mr. Neill and the fishermen's witnesses that these people would not suffer with the closing of the traps, but frankly as a business man I doubt that changes of industry are introduced or accepted with such hopeful ease as these people would have us believe.

If these 27 house-owners have only \$1,000 each equity in their homes—and this is not a large figure—we have a total of \$27,000 in home property which will at least be in jeopardy until better conditions are not only promised but secured and enjoyed.

I question if any coherent group of fishermen in B.C. can show similar economic stability unless it be the Kyuquot Co-operative Trollers whose success during the past five years has been phenomenal and who—as I see it—form the most aggressive opposition to the existing conditions.

I do not propose to say anything about the companies; they have spoken for themselves, but it has been easy to discover the commercial acumen which they have brought to their business and their claim to put up the finest canned salmon from the B.C. waters has not been successfully contradicted in this committee, and Mr. Green voiced his opinion that they had run their business efficiently. (See page 54 these Minutes.)

The capital employed by the various types of fishing is preponderatingly more for traps than for any other type, but in view of the fact that many fishermen have their fishing capital loaned to them in the form of rented gear, boat, food and supplies by the cannery men, it is quite difficult to strike comparative figures although I have made an effort to do so.

The crux of the whole Sooke problem appears to be in the comparative success with which the traps catch the spring salmon, a catch which sweetens the whole business. Envy plays its part and the manner in which tinkers, tailors, soldiers and sailors have been marshalled into petitions certainly does credit to the persistence of those who have engineered the opposition to Sooke.

Of course I am a Socialist. I have stated so and my public and private acts should support that statement, but in saying that there is by that conveyed no implication that I must be unfair to my fellow man and I certainly do not want to take an undue or mean and tricky advantage of him. I look around me and see a groceteria doing business with three employees which an ordinary grocer's store would require fifteen employees for. I see this in every phase of our commercial life, but we do not find petitions nor public sentiment clamouring for their elimination. When economic changes come that change which will last will be that one which first assures the possibility of security to all and then produces it.

I am against traps in B.C. as commercial ventures under the present economic system, but no one has yet convinced me that the situation at Sooke is not an entirely unique situation. In fact the evidence taken earlier in these proceedings substantiates the claim. Dr. Found says at page 5, these Minutes:—

These traps (the American traps) operated up to Boundary Bay. You see the location of the boundary, and how that bay makes up north-erly into Canadian territory. The boundary goes right up across Point Roberts. These traps were placed in the shallow water there (indicating) all along the course of the boundary. In the nature of things there developed an agitation from the Canadian side to be allowed to use these traps. In 1904 a special commission was appointed to investigate conditions, and the requirements of the British Columbia fisheries. That commission after going into the whole matter recommended the traps be

allowed in this area (indicating), from Beechey Head to Sheringham Point, which was regarded as a competitive area with these traps on the United States side.

Mr. NEILL: Which no longer exist.

Mr. TAYLOR: The regulations were amended in that year so as to allow traps there, and also to allow the use of traps up in the Boundary Bay area on the Canadian side. The traps at this latter point were used for a number of years but they did not prove very effective and finally—and here again I speak subject to correction—possibly due in part to objections on behalf of gill net fishermen on the Canadian side, and possibly due in part to the fact that traps were not very valuable there anyway, they were not continued.

If Canada could catch all her fish bound for the Fraser before they reach American waters there would be no American problem, but also there would be no Fraser river fish. The Americans do not hesitate to go to the Swiftsure Banks to fish before the fish enter the Straits of Juan de Fuca.

For some reason other than fish quality the Canadian fishermen do not. The fish taken before reaching or after reaching Juan de Fuca Straits and before leaving them are not at present subject to partition with our American friends and this unique, this strategic position of Sooke compels our understanding and very careful consideration.

The frequent sittings of this committee, and the limited time in between them has prevented me from adequately traversing the evidence of the witnesses, and not at all that of Mr. Millar, but I want to express appreciation of the evidence of Senator Green who quite ingenuously and with evident sincerity told us what he had learned during his twenty years frequent residence at Becher Bay. He also told us that (see page 219 these Minutes) he could not tell us very much about it and he used the expression "That has been caused, they tell me..." (see page 220 these Minutes). He did recognize from year to year the failure of the fishing in his area, but he did not even place the slightest emphasis on the catastrophic rock slide in Hell Gate Canyon. I later drew attention to this (see page 371 these Minutes) but the full significance is lost in the maze of figures. I have since then taken these figures and subjected them to equation on the basis of the condition presented by the 1918 season—and be it remembered Senator Green went into the Sooke area 20 years ago or say 1917; 1913 being the year of the slide.

Mr. NEILL: I rise to a point of order. Mr. Taylor is putting words into Senator Green's mouth. Senator Green was talking about cohoes; Mr. Taylor is talking about the rock slide stopping the sockeyes going up the river, two totally different things.

Mr. TAYLOR: Never after his arrival at Becher Bay did the run of sockeyes reach anything like the previous proportions as will be realized when I give the following comparison using the year 1918 as the equating unit of 1—that year being the year of the smallest combined case catch. Here read page 371, these Minutes.

Mr. REID: That statement is not exactly correct. The rock slide was only part of it. I dispute that statement.

Mr. TAYLOR: We will give it to you. Equating 1918 when 70,420 cases were caught—

Mr. NEILL: How do you equate?

Mr. TAYLOR: The total from 1909 reads as follows:—

Mr. NEILL: Some biological process?

Mr. TAYLOR: 1909 was the quadrennial peak, 22·7, 5·5, 2·7, 4·5, 34·3 (quadrennial peak year), 7·6, 2·2, 1·5, 8·0, which was 1917 the quadrennial



year and the year that Senator Green established his summer home. After that we find 1918 the lowest year, 1.0, then 1.4, 1.6, 2.0, 1.4, 1.1, 1.5, 2.1, 1.8 and 2.2 in 1927, never at any time reaching the substantial figures of the previous years.

Bear in mind that the quadrennial peak year of 1913—2,401,488 cases, or say 26,800,000 sockeye was the year of the Hell Gate Canyon rockslide—that the next quadrennial peak year of 1917 was the year Senator Green came to his summer home at Beecher Bay (see page 219 these Minutes) and that his first talks with all the fishermen must have dealt with the decreasing amount of fishing possible in those waters. Bear in mind also that this year instead of the 26,800,000 of 4 years before, the total catch fell to, say, 6,716,000 or a recorded figure of 559,732 cases—that the next year 1918 proved to be the year of the recorded lowest catch of any year either before or since and that as I have shown never did the figures of the catch in any year subsequent to 1917 reach the substantial figures of the years preceding. Of course the fishermen would blame the traps—the traps were close at hand, they saw them every day; the rockslide was hundreds of miles away and it was only newspaper talk anyway. Unless Senator Green deliberately set his mind against the general although superficial talk of the neighbourhood, he was in excellent position to develop the emotional dislike to traps admirably expressed in his opening remarks on page 219 these Minutes where he said—as everyone of us would probably say if we had not very carefully investigated—

Mr. Chairman, I may say very frankly at the outset that I am and have been opposed to traps of any description in the province of British Columbia.

Mr. NEILL: Hear, hear.

Mr. TAYLOR: "I cannot tell you very much about it. I do not think I can add very much to the evidence, I have read most of it—" and so on. But he did say when asked "Do they fish out in the waters beyond the trap area?" "Well, I do not know anything about the trap area but along this part they fish probably half way across—" (See page 220 these Minutes).

Half way across what — half way across Juan de Fuca Straits to the imaginary International boundary line at least 8 miles away.

In order to drive this point home let us find out what 26,800,000 sockeye mean in the waters of these straits. It will be very rough figuring but the picture will not be untrue.— Take 27,000,000 sockeye for 1913. The run lasts approximately 30 days or an average of 900,000 per day. They do not spread themselves so evenly as to time but let us go on—900,000 per day is 37,500 per hour or 625 per minute or slightly over 10 per second. This means that the whole run could be handled in a double line travelling at an average of 4 miles per hour through the Straits. Now if you can give concessions to the irregularity of the run, to a possibly slower average speed, and to the extreme width of 16 miles for the fish to travel in—in order that they might be fished halfway across—you will appreciate the folly of blaming the Sooke traps for all that has happened especially when in 1917—Senator Green's first year at Beecher Bay—not 27,000,000 fish but only 6,700,000 passed his summer home and in the biggest year since then up to the latest recorded figures on page 371 these Minutes, less than 1,900,000 sockeye fish passed the 16 mile stretch in front of his summer home that year 1927.

I could draw attention to the implications developed by the statements of various witnesses but I must pass on. Suffice it to say that if the Sooke traps catch only 2 per cent of the sockeye and if the fish all mass up and hug the shore at this point it can be demonstrated that this mass formation extends theoretically  $11\frac{1}{2}$  miles into the straits based only on an average lead 1,200 feet long—



Mr. HANSON: On a point of order may I say we have spent one full day with one committee member taking up all the time. If we are going to do that I am going to ask the committee to sit again so I can prepare a statement to read on another day. There are twenty members of the committee, and I think they should all get the same consideration.

Mr. TAYLOR: I am presenting the situation for the Sooke Harbour fishermen who have had no opportunity to speak and who have not had their case presented at all.

Mr. HANSON: You have not mentioned the fishermen.

Mr. REID: I want the opportunity to refute the statements made by Mr. Taylor today. I certainly am not going to allow this statement to go unchallenged, because I can tear the statement to pieces. There is nothing in it.

Mr. CAMERON: I should like to make another suggestion. My friend to my left said that he would not refer to the evidence of Coverdale and Miller because they were not experts. What kind of evidence are we getting now? Surely, it is not expert.

Mr. TAYLOR: Pardon me. You are not referring to me.

Mr. CAMERON: No, this gentleman here.

Mr. TAYLOR: Whereas if it is contended that 5 per cent of the total is more correct it still represents a  $4\frac{1}{2}$  miles stretch over which the procession is theoretically spread.

Mr. TOMLINSON: How many more pages has he?

Mr. TAYLOR: That is all right.

Mr. TOMLINSON: Let us find out right here.

The CHAIRMAN: Would you mind telling us how long you will take?

Mr. TAYLOR: I am practically finished.

Mr. HANSON: You told us that at the start.

Mr. TAYLOR: Finally here let me say that on the later journey to the Fraser river the combined water mileage of the various straits through which the fish have to pass as they journey past the many Gulf Islands in the Straits of Georgia is frequently much less than 16 miles, so that there is a favourable compulsory massing up of the fish to the benefit of the U.S. fishermen at these points.

All this is told for a purpose. The minds of everyone in this committee have been cleverly directed always to the traps.

Mr. TOMLINSON: I deny that, too.

Mr. TAYLOR: It is quite essential that we get the whole picture—the true picture—so I hope I shall be excused for being prolix on this phase of the subject.

Do not let us forget that these traps were permitted after a special commission was appointed in 1904 to investigate conditions and the requirements of the British Columbia fisheries and that this commission after going into the whole matter recommended that the traps be allowed in this area from Beechey Head to Sheringham Point (See page 5 these Minutes).

We are now asked 33 years after this event to discuss the question of transposing the method of fishing then allowed and apparently honestly and efficiently carried on for the whole of this period for the other methods of fishing at present practised in British Columbia. This in itself is unjustifiable unless very strongly and without possibility of error it is proved that trap fishing is a subversive and inhuman method and that the findings of the 1904 commission were wrong or that they have since proved to be mistaken. And it must be remembered that we have definitely limited our considerations to the Sooke area on the motion of Mr. Howard Green (207-9 these Minutes).

As I have repeatedly said I am not in favour of traps under our present economic system—

Mr. NEILL: Hear, hear.

Mr. TAYLOR: —but after what everyone must concede from my work in this committee to have been very close and careful investigation, I cannot admit that the Sooke traps should come under my sweeping condemnation.

The next move in more efficient fishing is the floating cannery.

Mr. HANSON: I move that he be allowed to put this on the record and not read it.

Mr. TAYLOR: It is already here. Is the rising tide of protest to be extended to the elimination of that menace to the individual fisherman.

Are we not helpless before the constant advance of science and invention and is it not becoming increasingly evident that only by international agreements and understandings can our national economic security be assured. In view of the probable ratification of the sockeye treaty between ourselves and our neighbour to the south should we not show a disposition to await the findings of the new partnership commission before changing the horses with which we are crossing the stream.

There is much virtue in the telegram received from the United Fishermen's Union Local 44 — (See page 252 these Minutes) which I will refer the members to.

With international fishing problems before us which threaten to increase in difficulty within the next very few years, it will be well to move only with the concerted mutual advice and action which we can secure on friendly basis with the United States and we should do all we can to examine this problem in its larger issues.

Mr. Chairman, without the slightest equivocation and in spite of all arguments which have been adduced to the contrary, I am profoundly convinced that the question of the issuance of these licences should be left for the time being in the discretion of the minister, and a resolution to this effect is now placed before you.

Mr. HANSON: I move that a sub-committee be appointed to draft the report.

Mr. NEILL: We are not going to let the matter rest there. He twisted Senator Green's evidence right around.

Mr. REID: When we met here to-day, Mr. Chairman, we were told that we were going to hear an argument regarding the workers at Sooke. We heard nothing but a dissertation on the fishing industry, including the Hell Gate Canyon and the spawning of the fish, when they died, where they feed, and so on. We have been listening to that all day.

The CHAIRMAN: I think the committee played fair with Mr. Taylor in giving him that opportunity.

Mr. TAYLOR: I am quite appreciative of that fact. If they can destroy the records I have built up they are welcome to it.

Mr. NEILL: You destroyed it yourself.

Mr. REID: He got away with all that pretence. We were told we were going to hear an argument in regard to the workers; we were told we were going to hear something from the fishermen's point of view. We could all contradict this statement if we had time.

The CHAIRMAN: How would it be if we met at 4 o'clock this afternoon?

Mr. TOMLINSON: Fine.

Mr. GREEN: I think we have heard a lot of irrelevant evidence, but I think we have heard enough evidence; therefore, let us get through with this question.

The CHAIRMAN: It was the intention to close to-day, but you have all seen what happened.

Mr. REID: We acquiesced, but we have not heard one word about the workers at Sooke. I want to hear about them.

Mr. NEILL: You heard only about traps this morning.

Mr. REID: No; about the fish. He told us we were going to hear about the workers. We have not heard a word with regard to the workers point of view.

Mr. NEILL: You have heard the traps point of view.

The CHAIRMAN: Mr. Hanson has handed me a motion appointing a sub-committee to draft the report.

Mr. NEILL: That is quite unfair. You have heard the resolutions to-day indicating how wide and divergent the views are. Unless we get together and discuss it we shall not agree. You are not going to allow three or four members to draft a report that we would be bound to accept?

Mr. HANSON: No. In making my motion my idea was that the sub-committee, having heard the resolutions, could get together and draw up a report, having those resolutions in mind. If the committee gets together again and we have to listen to this kind of talk we shall never get anywhere. If some of the members who really know something about this matter could get together and draft a report we might be able to get it to the house before the session closes. That is my suggestion. If we are going to listen to the kind of bunk—I call it bunk—that we heard this morning, we shall never get anywhere.

The CHAIRMAN: Possibly a sub-committee will have to be appointed, but I do not know whether we are at the stage yet where that sub-committee can be appointed.

Mr. NEILL: What do we need a sub-committee for? If we can agree on the line of action, having regard to the resolutions, we do not need a sub-committee to draft a report. If Mr. Tomlinson's resolution is accepted we do not need a sub-committee to deal with it. If my motion is accepted we do not need a sub-committee.

Mr. REID: Some report will have to be submitted to the house. We should know what that report is before it is submitted.

Mr. HANSON: My suggestion is to have that report prepared and presented to the committee.

The CHAIRMAN: Mr. Hanson suggests that Mr. Tomlinson and Mr. Reid, Mr. Tolmie, Mr. Ryan, Mr. Neill, Mr. MacNeil and the chairman, be appointed a sub-committee.

Mr. TAYLOR: Why should I be left off?

Mr. NEILL: Hear, hear.

Mr. HANSON: If you were on the sub-committee they would never get anywhere.

Mr. TAYLOR: I have a record of the time taken by the principal speakers in this committee and I can produce it to refute the statement of Mr. Hanson at any moment he likes. I have put forward my case as succinctly as I possibly could, and I submit copies of my work to anybody in this room who cares to see them. I have copies of all the figures that I have used and they are here for the benefit of the committee if they want to investigate them.

Mr. NEILL: I should like to see them.

Mr. TAYLOR: It is easy to destroy a man by getting after his reputation, or saying things like that.

Mr. TOMLINSON: I do not like that at all. We are not after his reputation or anybody else's. The other day Mr. Taylor said he wanted to make a statement, and he was provided with time to do it. I came here this morning with the



full idea that we were going to close up. What does Mr. Taylor do? He spends the whole day and reads page after page, and we have to sit and listen to all these figures.

Mr. GREEN: Question, Mr. Chairman.

The CHAIRMAN: What motion comes first, Mr. Tomlinson's?

Mr. NEILL: I think mine.

Mr. CAMERON: Before the motion is put I should like to say that although I do not pretend to have any expert knowledge of the situation in British Columbia, I was impressed with one or two things that I heard here today. The first thing that impressed me was the idea of an international commission, and the possibility that that international commission may make a recommendation to the respective governments which may cover the matter that we are considering here. If that is so, if there is that possibility I would respectfully submit that we should not make any report that would commit us one way or the other until that commission has had the opportunity to look into the situation from the international standpoint and from the standpoint of Canada so far as our own fisheries are concerned. I agree with the suggestion of Mr. Neill that we make no definite recommendation now so far as the operation of these traps are concerned. I think I can say, without having any inside knowledge, that the interests of the traps are safe this year in the hands of the minister. I do not believe any member of this committee expects that the minister would permit men to go on and spend money driving piles and so on and then at this late date refuse a licence. I think we ought to expect that licences will be issued this year. The interests of the investor will be protected by leaving the discretion where it is now and adopting the suggestion that the committee would prefer further time to look into this matter and report at a future session.

Mr. HANSON: That is my idea, too.

The CHAIRMAN: As Mr. Neill has not moved his resolution yet as an amendment to Mr. Tomlinson's, I do not suppose there is anything we can do but vote on Mr. Tomlinson's resolution.

Mr. NEILL: If you are going to make it formal I would move that all the words after "that" be struck out and the following substituted therefor.

Mr. REID: I would suggest that a sub-committee prepare an interim report and submit it to the committee covering these points, instead of putting a motion to the committee.

Mr. MACNEIL: These motions will be instructions to the sub-committee.

Mr. CAMERON: They can bring in a report.

Mr. REID: I think that would be the best way to get out of it. The sub-committee can bring in a report having regard to the recommendations made this morning.

Mr. NEILL: What are they?

Mr. REID: You have made one recommendation, that the status quo be left as it is. Mr. Tomlinson has made a motion that the licence fee be increased and the discretion left with the minister. I think that would be better than putting a motion to this committee.

The CHAIRMAN: It is understood that the sub-committee will submit its report to a full meeting of this committee for approval.

Mr. NEILL: That is all right.

The CHAIRMAN: Are you agreed to the appointing of a sub-committee? Who seconds Mr. Hanson's motion?

Mr. CAMERON: I will second it.



The CHAIRMAN: Moved by Mr. Hanson, and seconded by Mr. Cameron, that Messrs. Tomlinson, Reid, Tolmie, Ryan, Neill, MacNeil, and the chairman—

Mr. TAYLOR: I desire to be placed on that committee in the interests of my own constituency.

The CHAIRMAN: Is it agreeable to include Mr. Taylor?

Hon. Mr. TOLMIE: The traps are in his own riding; you cannot refuse him.

The CHAIRMAN: And Mr. Taylor, be appointed a sub-committee who will endeavour to get together to draw up a report to be submitted to a full meeting of the committee at a later date. \*

Mr. REID: And the committee to meet at the call of the Chair.

Mr. NEILL: Who is chairman of the sub-committee?

Mr. HANSON: The present chairman.

Motion agreed to.

The committee adjourned to meet again at the call of the Chair.

Dr. Doc  
on  
on  
y

Canada - Marine and Fisheries,  
" Standing Committee on, 1937)

SESSION 1937  
HOUSE OF COMMONS



STANDING COMMITTEE

ON

# MARINE AND FISHERIES

MINUTES OF PROCEEDINGS  
No. 15

FRIDAY, APRIL 2, 1937

Containing

THIRD AND FINAL REPORT OF THE COMMITTEE

OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1937



## MINUTES OF PROCEEDINGS

FRIDAY, April 2, 1937.

The Standing Committee on Marine and Fisheries met at 10 a.m., the Chairman, Mr. MacLean, presiding.

*Members present:* Messrs. Brooks, Green, Hanson, Kinley, MacLean (*Prince*), MacNeil, MacNicol, Michaud, Neill, Reid, Ryan, Stirling, Taylor (*Nanaimo*), Telford, Tolmie, Tomlinson, Tustin, Veniot and Ward.

On behalf of the sub-committee appointed at the previous sitting, the Chairman submitted a draft report as a Third and Final Report of the Committee.

Said report was considered and amended.

On motion of Mr. Tomlinson, seconded by Mr. Hanson,

*Resolved*,—That the said Third and Final Report of the Committee be adopted as amended and that the Chairman be authorized to present same to the House.

The Committee adjourned *sine die*.

R. ARSENAULT,

*Acting Clerk of the Committee.*





# REPORT TO THE HOUSE

## Third and Final Report

MONDAY, April 5, 1937.

The Standing Committee on Marine and Fisheries begs leave to present the following as its

### THIRD AND FINAL REPORT

Your Committee has had under consideration an Order of Reference dated February 8, 1937, viz:—

That the question of the advisability of the Government issuing trap fishing licences in British Columbia waters be referred to the Standing Committee on Marine and Fisheries for study and report.

The Committee has held fourteen sittings and has heard six witnesses, including representatives of the Department of Fisheries, of the trap owners, and of the fishermen.

In considering this question the Committee has had in view the great importance of the salmon fishing industry in British Columbia waters, and the necessity for the conservation of the fish supply, the preservation of the quality of the pack and the furnishing of the greatest measure of employment.

Further, being satisfied of the great need for conservation of the fish and the avoiding of all wanton and useless destruction of this great food resource, your Committee recommends that the Department of Fisheries continue to work in co-operation with the authorities in the United States with such object in view.

We also submit the following recommendations:—

1. That no more trap licences be granted in British Columbia waters except in the so-called Sooke area, and concerning which we are unable to come to a decision as to whether they should be continued or not, without the opportunity of securing further information.

2. That, if the said traps are allowed in the so-called Sooke area, the licence fee for each trap be \$500 per annum for each trap licence, commencing with the year 1937.

3. That an opening of suitable size be made in the lead of such traps in order that the fish may have a better opportunity of passing on towards the spawning grounds when the trap is closed.

4. That the Department should be careful to see that the regulations providing for the closing of traps in use, for forty-eight hours per week, be rigidly enforced, and that the traps be subject to the same regulations as regards opening and closing seasons as prescribed for all varieties of fishing under the Fisheries Act and regulations.

5. That all inspectors or guardians employed by the Department of Fisheries be independent of all fishing companies or fishing plant owners.

6. That for the next year or two the check made in connection with the catch, as well as the escapement of sockeye and other varieties of salmon in the Sooke area be made with great care and detail so that the records expressed in both cases and numbers may be as accurate as possible.

A copy of the evidence taken is submitted herewith.

All of which is respectfully submitted,

A. E. MacLEAN,  
*Chairman.*

NOTE: The above Report concurred in April 7, 1937.















GOVT PUBNS

BINDING SECT. JUL 2 1980



